

LOG NUMBERS

BGT.

4/19/16 CEO 20057015 APR/21 2016

EXECUTIVE/COUNCIL APPROVAL FORM

MANAGEMENT ROUTING:

EXECUTIVE Dave Somers
 EXEC. DIR. Kendee Yamaguchi
 DIRECTOR/ELECTED Barb Mock *bjm*
 DEPARTMENT Planning & Dev Services
 DIV. MGR. Josh Dugan *JD*
 DIVISION Planning
 ORIGINATOR Alison Hodgkin *AH*
 DATE 4/15/16 EXT. 2975

TO: COUNCIL CHAIRPERSON:
 SNOHOMISH COUNTY COUNCIL

EXECUTIVE RECOMMENDATION:

☒ Approve ☐ No Recommendation
☐ Further Processing
☐ Requested By

Kendee Yamaguchi KENDEE YAMAGUCHI
 Executive Office Signature Development Director 4/14/16
 CEO Staff Review *Cep* 4/21/16
 Received at Council Office *CH 9:35* 4/22/16

DOCUMENT TYPE:

☐ BUDGET ACTION:
☐ Emergency Appropriation
☐ Supplemental Appropriation
☐ Budget Transfer
☐ CONTRACT:
☐ New
☐ Amendment

☐ GRANT APPLICATION
☒ ORDINANCE
☒ Code Amendment Subtitle 30.2 SCC
☐ PLAN
☐ OTHER

DOCUMENT / AGENDA TITLE:

Ordinance / RELATING TO GROWTH MANAGEMENT, REVISING REGULATIONS FOR MARIJUANA BUSINESSES, AMENDING SECTIONS 30.22.100, 30.22.110 AND 30.22.130, AND AMENDING DEFINITIONS IN CHAPTER 30.91M OF THE SNOHOMISH COUNTY CODE

APPROVAL AUTHORITY:

EXECUTIVE _____ COUNCIL ☒
 CITE BASIS Section 2.120 of the Snohomish County Charter

HANDLING: NORMAL _____ EXPEDITE _____ URGENT ☒ DEADLINE DATE 4-21-16

PURPOSE:

To amend code provisions in subtitle 30.2 SCC to achieve consistency with recent changes in state law pertaining to the regulation of marijuana-related facilities.

BACKGROUND:

- The Snohomish County Council adopted regulations for marijuana-related facilities in Amended Ordinance No. 13-086 effective November 28, 2013, and subsequently amended these regulations in Amended Ordinance No. 15-009 effective June 15, 2015.
- The Washington State Legislature approved the Cannabis Patient Protection Act (SB5052) on April 24, 2015, revising regulations for medical and recreational marijuana in chapters 69.50 and 69.51A Revised Code of Washington.
- New state law phases out medical marijuana collective garden and collective garden dispensary and access point uses. These uses must be eliminated by July 1, 2016, to achieve consistency with recent changes to state law.
- This ordinance would repeal the "Marijuana Collective Garden" and "Marijuana Collective Garden Dispensary or Access Point" uses and definitions in Snohomish County Code.
- PDS provided a briefing to the planning commission on February 23, 2016, and commissioners held a public hearing on March 22, 2016. Commissioners voted unanimously to adopt the PDS findings and conclusions and recommend approval of the proposal without amendment.
- PDS recommends approval of this ordinance and has attached the commission's recommendation and staff reports (briefing and hearing) with detailed background information on this matter.

FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL	N/A	N/A	N/A

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL	N/A	N/A	N/A

DEPARTMENT FISCAL IMPACT NOTES:

No fiscal impacts anticipated.

*B.n for CT 4-19-16*BUDGET REVIEW: Analyst *DM* Administrator *JA* Recommend Approval *✓***CONTRACT INFORMATION:**

ORIGINAL	_____	CONTRACT #	_____	AMOUNT	_____
AMENDMENT	_____	CONTRACT #	_____	AMOUNT	\$ _____

CONTRACT PERIOD:

ORIGINAL	Start	_____	End	_____
AMENDMENT	Start	_____	End	_____

CONTRACT / PROJECT TITLE:**CONTRACTOR NAME & ADDRESS (City/State only):****APPROVED:**

RISK MANAGEMENT Yes _____ No _____

COMMENTS _____

PROSECUTING ATTY - AS TO FORM: Yes *X* No _____**OTHER DEPARTMENTAL REVIEW / COMMENTS:****ELECTRONIC ATTACHMENTS:** *Council 120057015*

G:\ECAF\Dept05_PDS\PC ECAF_MedMj\ECAF Transmittal Memo . doc
 G:\ECAF\Dept05_PDS\PC ECAF_MedMj\ECAF . doc
 G:\ECAF\Dept05_PDS\PC ECAF_MedMj\Summary Ad . docx
 G:\ECAF\Dept05_PDS\PC ECAF_MedMj\Capital Facility Cost Analysis . docx
 G:\ECAF\Dept05_PDS\PC ECAF_MedMj\Housing Job Matrix . docx
 G:\ECAF\Dept05_PDS\PC ECAF_MedMj\PC Briefing Staff Report . docx
 G:\ECAF\Dept05_PDS\PC ECAF_MedMj\PC Supplemental Staff Report with Attachments. Pdf
 G:\ECAF\Dept05_PDS\PC ECAF_MedMj\Planning Commission Recommendation Letter . docx
 G:\ECAF\Dept05_PDS\PC ECAF_MedMj\Ordinance . doc

NON-ELECTRONIC ATTACHMENTS:

Index (A CD will be delivered to Council staff separately)



Snohomish County
Planning and Development Services

Dave Somers
County Executive

Barbara Mock, Director
3000 Rockefeller Avenue M/S #604
Everett, WA 98201-4046
(425) 388-3311 FAX (425) 388-3832

MEMORANDUM

TO: Snohomish County Council
FROM: Alison Hodgkin, Senior Planner, PDS
DATE: April 15, 2016
SUBJECT: Medical Marijuana – ECAF Transmittal

The purpose of this staff report is to transmit the ECAF package for updates to regulations for marijuana-related uses, specifically medical marijuana facilities. This update is necessary in order to reduce inconsistencies between sections of Title 30 of Snohomish County Code (SCC) and new state law in Chapters 69.50 and 69.51A Revised Code of Washington (RCW). Changes to state law are the result of passage of the Cannabis Patient Protection Act (SB 5052). The state deadline for the county to achieve this consistency with new state regulations is July 1, 2016.

PDS briefed the Planning Commission on this matter on February 23, 2016, and held a public hearing on March 22, 2016. As stated in their March 23, 2016, recommendation letter, planning commissioners voted unanimously to adopt the findings and conclusions provided by PDS and approve the proposed code amendments.

Environmental Review and Notification of State Agencies

In order to satisfy State Environmental Policy Act (SEPA) requirements, PDS completed the environmental checklist and issued a threshold determination of non-significance on April 1, 2016. PDS also notified the Washington State Department of Commerce on March 17, 2016, of the intent to adopt the proposed code amendments.

Recommendation

PDS has prepared an ECAF which includes the proposed ordinance that was approved as to form by the Snohomish County Prosecuting Attorney on April 15, 2016. PDS supports adoption of the ordinance as proposed and looks forward to discussing this matter with you at a future Planning Committee meeting.

cc: Kendee Yamaguchi, Executive Director
Barb Mock, Planning and Development Services Director
Joshua Dugan, PDS Manager
Jacqueline Reid, AICP, PDS Supervisor
Geoffrey Thomas, Council Legislative Analyst

1 SNOHOMISH COUNTY COUNCIL
2 Snohomish County, Washington
3

4 ORDINANCE NO. 16-____
5

6 RELATING TO GROWTH MANAGEMENT; REVISING REGULATIONS FOR
7 MARIJUANA BUSINESSES, AMENDING SECTIONS 30.22.100, 30.22.110 AND
8 30.22.130, AND AMENDING DEFINITIONS IN CHAPTER 30.91M OF THE
9 SNOHOMISH COUNTY CODE
10

11 WHEREAS, the Growth Management Act, chapter 36.70A RCW ("GMA"),
12 requires Snohomish County ("County") to regulate land use and development within the
13 County's jurisdiction; and
14

15 WHEREAS, the Snohomish County Council ("County Council") adopted
16 regulations for marijuana-related facilities in Amended Ordinance No. 13-086 effective
17 November 28, 2013; and
18

19 WHEREAS, the County Council amended regulations for marijuana-related
20 facilities in Amended Ordinance No. 15-009 effective June 15, 2015; and
21

22 WHEREAS, the Washington State Legislature enacted the Cannabis Patient
23 Protection Act on April 24, 2015 (Laws of 2015, ch. 70), revising state law concerning
24 medical and recreational marijuana in chapters 69.50 and 69.51A RCW; and
25

26 WHEREAS, section 4 of the Cannabis Patient Protection Act amends the
27 definitions of certain marijuana-related uses in RCW 69.50.101 to include marijuana
28 concentrates and to reflect the name change of the state regulating agency from the
29 Washington State Liquor Control Board to the Washington State Liquor and Cannabis
30 Board; and
31

32 WHEREAS, effective July 1, 2016, the Cannabis Patient Protection Act repeals
33 the authority for medical marijuana collective gardens, and instead establishes authority
34 for the creation of cooperatives for qualifying patients or designated providers for the
35 production and processing of marijuana for the medical use of members of the
36 cooperative; and
37

38 WHEREAS, under the Cannabis Patient Protection Act, cooperatives must be
39 located in the domicile of one of the participants; and
40

41 WHEREAS, section 27 of the Cannabis Patient Protection Act authorizes local
42 governments to create and enforce civil penalties for the growing or processing of
43 marijuana and for keeping marijuana plants beyond or otherwise not in compliance with
44 that section; and
45

WHEREAS, medical marijuana collective gardens and collective garden dispensaries and access points are currently permitted uses in various zones under chapter 30.22 Snohomish County Code ("SCC"); and

WHEREAS, definitions for marijuana-related facilities currently listed in chapter 30.91M SCC do not include marijuana concentrates or references to the renamed Washington Liquor and Cannabis Board; and

WHEREAS, the proposed amendments in this ordinance are intended to achieve consistency between the SCC and state law; and

WHEREAS, this ordinance does not address the legality of the conduct associated with marijuana and should not be construed as approval of such uses or waiver of any applicable county, state, or federal laws; and

WHEREAS, the County Council has determined that the proposed amendments to the development regulations promote a county purpose as established under RCW 36.70A.130 and chapter 30.73 SCC; and

WHEREAS, the Snohomish County Planning Commission ("Planning Commission") held a briefing on February 23, 2016, concerning the code amendments contained in this ordinance; and

WHEREAS, the Planning Commission held a public hearing on March 22, 2016, to receive public testimony concerning the code amendments contained in this ordinance; and

WHEREAS, at the conclusion of the Planning Commission's public hearing, the Planning Commission voted to recommend approval of the proposal without amendment, as set forth in its recommendation letter dated March 23, 2016; and

WHEREAS, on _____, _____, the County Council held a public hearing after proper notice, and considered public comments and the entire record related to the code amendments contained in this ordinance; and

WHEREAS, following the public hearing, the County Council deliberated on the code amendments contained in this ordinance;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The County Council makes the following findings:

A. The County Council adopts and incorporates the foregoing recitals as findings as if set forth fully herein.

B. This ordinance will amend title 30 SCC in the following manner:

ORDINANCE NO. _____ RELATING TO GROWTH MANAGEMENT;
REVISING REGULATIONS FOR MARIJUANA BUSINESSES,
AMENDING SCC 30.22.100, 30.22.110 AND 30.22.130, AND
AMENDING DEFINITIONS IN CHAPTER 30.91M SCC

1. Eliminate the "Marijuana Collective Garden" and "Marijuana Collective Garden Dispensary or Access Point" uses from the Urban and Rural Use Matrices in SCC 30.22.100 and .110. These proposed amendments will achieve consistency with state law, as the Cannabis Patient Protection Act repeals the authority for marijuana collective gardens effective July 1, 2016.
 2. Eliminate Reference Note No. 126 in SCC 30.22.130, which addresses the "Marijuana Collective Garden" and "Marijuana Collective Garden Dispensary or Access Point" uses.
 3. Repeal the definitions for "Marijuana collective garden or medical cannabis garden" and "Marijuana collective garden dispensary or access point" in SCC 30.91M.034 and .036.
 4. Amend the definitions of "Marijuana processing" and "Marijuana retail" to add new term "marijuana concentrates," which was recently added to the state definitions for these terms.
 5. Amend the definitions of "Marijuana processing", "Marijuana production", and "Marijuana retail" to reflect the name change of the Washington State Liquor Control Board to the Washington State Liquor and Cannabis Board.
- C. Although section 27 of the Cannabis Patient Protection Act allows counties to "create and enforce civil penalties, including abatement procedures, for the growing or processing of marijuana and for keeping marijuana plants beyond or otherwise not in compliance" with that section, the County Council declines to separately regulate cooperatives and finds that cooperatives are an incidental use to a dwelling because cooperatives must be located in the domicile of one of the participants, consistent with SCC 30.22.025, 30.91D.490, and 30.91I.030 and section 26 of the Cannabis Patient Protection Act.
- D. This ordinance satisfies the procedural and substantive requirements of and is consistent with the GMA and the following goals, objectives and policies contained in the Snohomish County Growth Management Act Comprehensive Plan (GMACP) General Policy Plan (GPP):
1. Goal Economic Development (ED) 1: "Maintain and enhance a healthy economy."
 2. Objective ED 2.A: "Develop and maintain a regulatory system that is fair, understandable, coordinated and timely."
 3. ED Policy 2.A.1: "Snohomish County shall work to ensure that the Snohomish County Code is an understandable, accessible, and user friendly document."

- 138 4. ED Policy 2.A.2: "Snohomish County should stress predictability but maintain
139 enough flexibility in the Comprehensive Plan and development codes to allow for
140 timely response to unanticipated and desirable developments."
141

142 E. Procedural requirements.
143

- 144 1. The ordinance is a Type 3 legislative action pursuant to SCC 30.73.010 and is
145 consistent with state law and chapter 30.73 SCC.
146
147 2. SEPA requirements with respect to this non-project action are satisfied through
148 the completion of an environmental checklist and the issuance of a Determination
149 of Nonsignificance on April 1, 2016.
150
151 3. A notice of intent to adopt this ordinance was transmitted to the Washington
152 State Department of Commerce for distribution to state agencies on March 17,
153 2016.
154
155 4. The public participation process used for the proposed code amendments has
156 complied with all applicable requirements of the GMA and the SCC.
157
158 5. The Washington State Attorney General last issued an advisory memorandum,
159 as required by RCW 36.70A.370, in December of 2015 entitled "Advisory
160 Memorandum and Recommended Process for Evaluating Proposed Regulatory
161 or Administrative Actions to Avoid Unconstitutional Takings of Private Property"
162 to help local governments avoid the unconstitutional taking of private property.
163 The process outlined in the State Attorney General's 2015 advisory
164 memorandum was used by Snohomish County in objectively evaluating the
165 regulatory changes proposed by this proposal.
166

167 F. This ordinance is consistent with the record.
168

- 169 1. Snohomish County currently allows Marijuana Collective Gardens and Marijuana
170 Collective Garden Dispensaries or Access Points as permitted uses in the Urban
171 and Rural Use Matrices in chapter 30.22 SCC.
172
173 2. Proposed amendments to SCC 30.22.100 and .110 would eliminate these uses
174 and an associated reference note in SCC 30.22.130 from county code, achieving
175 consistency with state law.
176
177 3. Snohomish County currently provides definitions for marijuana-related facilities in
178 chapter 30.91M SCC (Definitions).
179
180 4. Proposed amendments to chapter 30.91M SCC would repeal definitions for
181 eliminated uses and amend remaining definitions in county code to achieve
182 consistency with state law.
183

G. The ordinance is consistent with the record as set forth in the Planning and Development Services (PDS) staff reports dated February 10, 2016, and March 9, 2016.

Section 2. The County Council makes the following conclusions:

A. The proposal complies with all requirements of county code.

B. The proposal is consistent with the goals, objectives and policies of the GMACP.

C. The county complied with all SEPA requirements in respect to this non-project action.

D. The regulations proposed by this ordinance do not result in an unconstitutional taking of private property for public purposes.

E. The county complied with state and local public participation requirements under the GMA and chapter 30.73 SCC.

Section 3. The County Council bases its findings and conclusions on the entire record of the County Council, including all testimony and exhibits. Any finding, which should be deemed a conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.

Section 4. Snohomish County Code Section 30.22.100, last amended by Emergency Ordinance No. 16-006 on January 20, 2016, is amended to read:

1

2 30.22.100 Urban Zone Categories: Use Matrix

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Accessory Apartment ⁶²	A	A	A	A	A	A	A		A	A							
Adult Entertainment Business/Use ⁶⁷												P		P	P		
Agriculture ^{41, 107}	P	P	P		P	P	P		P	P		P	P	P	P	P	
Airport, Stage 1 Utility ¹	C	C	C						P	P		P	P	P	P		
Airport-All Others												P	P	P	P		
Amusement Facility ^{41, 129}								P	P	P		P		P	P		P
Antique Shop							P		P	P				P	P		P
Art Gallery ⁴¹	C	C	C		C	C	P	P	P	P		P	P	P	P		P
Asphalt Batch Plant & Continuous Mix Asphalt Plant												P			P		
Auto Repair, Major										P		P	P	P	P		P
Auto Repair, Minor							P	P	P ⁸⁶	P	P	P	P	P	P		P
Auto Towing														P	P		
Auto Wrecking Yard														C ⁴⁴	P ⁴⁴		
Bakery							P ⁶⁹	P	P	P		P	P	P	P		P
Bed and Breakfast Guesthouse ⁵⁸	C	C	C	C	C	C										C	
Billboards ⁴⁶																	
Non-digital										P				P	P		
Digital										P				P	P		
Boarding House	P ¹⁵	P ¹⁵	P ¹⁵		P	P	P		P	P						P	P
Boat Launch, Commercial ³¹									C	C				C	C		P
Boat Launch, Non-commercial ³¹	C	C	C		C	C			C	C				C	C		
Boat Sales										P				P	P		

ORDINANCE NO. _____ RELATING TO GROWTH MANAGEMENT;
 REVISING REGULATIONS FOR MARIJUANA BUSINESSES,
 AMENDING SCC 30.22.100, 30.22.110 AND 30.22.130, AND
 AMENDING DEFINITIONS IN CHAPTER 30.91M SCC

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Caretaker's Quarters												P	P	P	P		
Cemetery, Columbarium, Crematorium, Mausoleum ⁴¹	C	C	C		C	C			P	P		P	P	P	P		P
Church ^{41, 129}	C	C	C		P	P	P	P	P	P		P	P	P	P		P
Cleaning Establishment							P	P	P	P		P	P	P	P		P
Clubhouse					C	C	C	P	P	P		P	P	P	P	P	P
Cold Storage										P		P	P	P	P		
Commercial Vehicle Storage Facility										P		P	P	P	P		
Community Club	C	C	C		C	C	C		P	P		P	P	P	P	P	P
Community Facilities for Juveniles ¹⁰³																	
1 to 8 Resident Facility	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
9 to 24 Resident Facility	S	S	S	S	S	P	P	P	P	P		P	P	P	P	P	P
Construction Contracting										P		P	P	P	P		P ¹²³
Country Club	C	C	C									P	P	P	P		P
Craft Shop ²¹									P ⁸⁶	P		P	P	P	P		P
Day Care Center ^{2, 129}	C	C	C		C	C	P	P	P	P	P	P	P	P	P	A	P
Department Store								P	P ⁸⁶	P				P	P		P
Distillation of Alcohol												P	P	P	P		P
Distillation of Wood, Coal, Bones or Manufacturing of Their By-products												P			P		
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P	P	P	P		P	P		P	P	P	P		
Drug Store							P	P	P	P	P ²²			P	P		P
Dwelling, Attached Single Family	P	P	P	P	P	P	P	P	P	P							
Dwelling, Cottage Housing ¹¹⁶	A	A	A	A	A												
Dwelling, Duplex	P ⁴²	P ⁴²	P ⁴²	P	P	P	P		P	P							

ORDINANCE NO. _____ RELATING TO GROWTH MANAGEMENT;
 REVISING REGULATIONS FOR MARIJUANA BUSINESSES,
 AMENDING SCC 30.22.100, 30.22.110 AND 30.22.130, AND
 AMENDING DEFINITIONS IN CHAPTER 30.91M SCC

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Dwelling, Mobile Home	P ⁶	P ⁶	P ⁶	P ⁶	P	P	P ⁶		P ⁶	P ⁶						P	
Dwelling, Multifamily					P	P	P	P	P	P			P ⁵¹				P
Dwelling, Single Family	P	P	P	P	P	P	P	P ⁴	P	P			P ⁵¹			P ⁴	
Dwelling, Townhouse ⁵			A	P	P	P	P	P	P	P							P
Electric Vehicle Infrastructure																	
Electric Vehicle Charging Station - Restricted, Level 1, and Level 2 ¹²¹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging Station - Public, Level 1 and Level 2							P	P	P	P	P	P	P	P	P		P
Electric Vehicle Charging Station, Level 3	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P	P		P
Battery Exchange Stations	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P	P		P
Explosives, Manufacturing												P			P		
Explosives, Storage												P			P		
Extraction of Animal or Fish Fat or Oil												P			P		
Fabrication Shop										P		P	P	P	P		P ¹²³
Fairgrounds										P		P	P	P	P		
Fallout Shelter, Individual	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Fallout Shelter, Joint ⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Family Day Care Home ⁸	P	P	P	P	P	P	P		P	P						P	
Farm Product Processing																	
Up to 5,000 sq ft									P	P				P	P		
Over 5,000 sq ft ⁹⁴									A	P				P	P		
Farm Stand																	
Up to 400 sq ft ⁹	P	P	P						P	P				P	P		P
401 to 5,000 sq ft ⁹⁹																	

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Farmers Market ⁹³										P			P	P	P		P
Financial Institutions							P	P	P	P		P	P	P	P		P
Fish Farm												P	P	P	P		
Fix-it Shop								P	P ⁸⁶	P		P	P	P	P		P
Forestry												P		P	P		
Forge, Foundry, Blast Furnace for Melting of Ore															P		
Foster Home	P	P	P	P	P	P	P		P	P						P	
Fuel & Coal Yard										P		P	P	P	P		
Garage, Detached Private Accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P		P	P	P	P		
2,401 - 4,000 sq ft on Less than 3 Acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A		A	A	A	A		
4,001 sq ft and Greater ^{41,59}	C	C	C	C	C	C	C	C	C	C		C	C	C	C		
Garage, Detached Private Non-accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2,401 sq ft and greater ^{41,59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Golf Course and Driving Range	C	C	C						P	P		P	P	P	P		
Government Structures & Facilities ^{27, 41}	C	C	C	C	C	C	C	P	P	P		P	P	P	P		P
Greenhouse, Lath House, & Nurseries: ⁵² Retail							P	P	P	P				P	P		
Greenhouse, Lath House, & Nurseries: ⁵² Wholesale							P	P	P	P		P	P	P	P		
Grocery Store							P	P	P ⁸⁶	P	P ²²			P	P		P
Grooming Parlor							P	P	P	P			P ⁵³	P	P		P
Guesthouse ⁸⁵	P	P	P		P	P	P	P	P	P						P	

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55,76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Gymnasium								P	P	P		P	P	P	P		P
Hardware Store							P	P	P	P				P	P		P
Hazardous Waste Storage & Treatment Facilities, Offsite ⁶⁶												C	C	C	C		
Hazardous Waste Storage & Treatment Facilities, Onsite ⁶⁵							P	P	P	P	P	P	P	P	P		
Health and Social Service Facility ⁹⁰																	
Level I	P	P	P	P	P	P	P	P	P	P			P			P	P
Level II ^{41, 129}	C	C	C		C	C	C	P	P	P			P			C	P
Level III						C	C	P	P	P		P		P	P	C	P
Home Improvement Center							P	P	P ⁸⁶	P				P	P		P
Home Occupation ¹¹	P	P	P	P	P	P	P		P	P						P	P
Hotel/Motel					C	C		P	P	P	P			P ⁸⁹			P
Junkyard														C ⁴⁴	P ⁴⁴		
Kennel, ⁴¹ Commercial ¹²	C	C	C						P	P		P	P	P	P		
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P		P	P	P		P	P		P	P	P	P		
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P		P	P	P		P	P		P					
Laboratory										P		P	P	P	P		P
Library ⁴¹	C	C	C		C	C	C	P	P	P		P	P	P	P		P
Licensed Practitioner ^{29,41}					C	C	P	P	P	P		P	P	P	P		P
Livestock Auction Facility												P		P	P		
Locksmith							P	P	P ⁸⁶	P		P	P	P	P		P
Lumberyard										P		P	P	P	P		
Manufacturing, Heavy ⁸²												P			P		
Manufacturing-All Other Forms Not Specifically Listed ⁸³												P	P	P	P		P ¹²³

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TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
((Marijuana Collective Garden ^{125, 131}))												((P))	((P))	((P))	((P))		
((Marijuana Collective Garden Dispensary, or Access Point ¹³¹))							((P))	((P))	((P))	((P))			((P))	((P))	((P))		((P))
Marijuana Processing ^{125, 131}												P	P	P	P		
Marijuana Production ^{125, 131}												P	P	P	P		
Marijuana Retail ¹³¹							P	P	P	P			P	P	P		P
Massage Parlor									P	P		P	P	P	P		P
Medical Clinic ²⁹					C	C	P	P	P	P		P	P	P	P		P
Mini Self-Storage								P		P		P	P	P	P		
Mobile Home Park ³⁸					C	C			C	C						P	
Mobile Home & Travel Trailer Sales										P		C ³⁶		P	P		
Model Hobby Park ⁷⁵													A	A	A		
Model House/Sales Office	P	P	P	P	P	P	P	P	P	P							P
Mortuary					C	C			P	P		P	P	P	P		P
Motocross Racetrack ¹²⁹										C ¹¹³		C ¹¹³	C ¹¹³	C ¹¹³	C ¹¹³		
Motor Vehicle & Equipment Sales									P ²³	P				P	P		
Museum ⁴¹	C	C	C		C	C	C	P	P	P		P	P	P	P		P
Office, General							P	P	P	P		P	P	P	P		P
Park, Public ¹⁴	P	P	P		P	P	P	P	P	P		P	P	P	P		P
Park-and-Pool Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Park-and-Ride Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Personal Services Shop							P	P	P ⁸⁶	P		P ⁴⁹	P ⁴⁹	P	P		P
Personal Wireless Communications Facilities ^{27, 41, 104, 105, 106}	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P ¹¹⁹
Pet Shop							P	P	P	P			P ⁵³	P	P		P

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Petroleum Products & Gas Storage - Bulk ⁴³										P		P	P	P	P		
Petroleum Refining ⁴³												P					
Print Shop									P ⁸⁶	P		P	P	P	P		P
Printing Plant								P		P		P	P	P	P		P ¹²³
Race Track ^{24, 41, 129}										C		P	P	P	P		
Railroad Right-of-way	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P		P	P	P	P		P
Recreational Vehicle Park									C	C	P					C	
Rendering of Fat, Tallow, or Lard ¹²⁹												P			P		
Restaurant							P	P	P	P	P	P ⁴⁹	P ⁴⁹	P	P		P
Retail Store							P	P	P ⁸⁶	P			P ⁵³	P	P		P
Retirement Apartments				P	P	P	P	P	P	P						P	P
Retirement Housing				P	P	P	P	P	P	P						P	P
Rolling or Blooming Mills												P			P		
Sanitary Landfill ¹²⁹	C	C	C						C	C		C	C	C	C		
Sawmill										P		P	P	P	P		
Schools																	
K-12 & Preschool ^{41, 68, 129}	C	C	C		C	C			P	P		P	P	P	P		P
College ^{41, 68}	C	C	C		C	C			P	P		P	P	P	P		P
Other ^{41, 68}					C	C			P	P		P	P	P	P		P
Second Hand Store									P ⁸⁶	P				P	P		P
Service Station ⁴¹							P	P	P ⁸⁶	P	P			P	P		P
Shake & Shingle Mill										P		P	P	P	P		
Shooting Range ⁹²												P	P	P	P		
Sludge Utilization ³⁹	C ⁵⁶	C ⁵⁶	C ⁵⁶		C ⁵⁶	C ⁵⁶			C ⁵⁶	C ⁵⁶		C ⁵⁶		C ⁵⁶	P		

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TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
															C ⁵⁰		
Small Animal Husbandry ⁴¹	C ³⁷	C ³⁷	C ³⁷				P		P	P		P	P	P	P		
Specialty Store							P	P	P ⁸⁶	P				P	P		P
Stables	P	P	P		P	P	P	P	P	P		P	P	P	P		
Stockyard or Slaughter House ¹²⁹												P			P		
Storage, Retail Sales Livestock Feed									P	P				P	P		
Storage Structure, Accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2,401 - 4,000 on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Storage Structure, Non-accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Studio ⁴¹	C ⁷⁷	C ⁷⁷	C ⁷⁷		C ⁷⁷	C ⁷⁷	P	P	P ⁸⁶	P		P	P	P	P		P
Swimming/Wading Pool ^{17, 41}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Tannery												P			P		
Tar Distillation or Manufacturing												P			P		
Tavern ⁴¹								P	P	P				P	P		P
Television/Radio Stations														P	P		
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A						A
Temporary Dwelling For Relative ¹⁸	A	A	A	A	A	A	A	A	A	A	A						
Temporary Residential Sales Coach ⁷³	A	A	A														A
Temporary Woodwaste Recycling ⁶³														A	A		

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Temporary Woodwaste Storage ⁶³														A	A		
Tire Store							P	P	P ⁸⁶	P				P	P		P
Tool Sales & Rental									P ⁸⁶	P				P	P		P
Transit Center	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Ultralight Airpark ²⁰												P					
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ^{27, 129}	C	C	C	C	C	C	C	P	P ⁸⁶	P	C	P	P	P	P		
Utility Facilities, Transmission Wires, Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures ^{27, 41}	C	C	C	C	C	C	C	P	P ⁸⁶	P	C	P	P	P	P	C	P
Veterinary Clinic					C	C	P	P	P ⁸⁶	P		P	P	P	P		P
Warehousing										P		P	P	P	P		P ¹²³
Wholesale Establishment								P	P ⁸⁶	P		P	P	P	P		P ¹²³
Woodwaste Recycling ⁵⁷														C	C		
Woodwaste Storage ⁵⁷														C	C		
Yacht/Boat Club												P	P	P	P		P
All other uses not otherwise mentioned												P	P	P	P		
P - Permitted Use	<p>A blank box indicates a use is not allowed in a specific zone.</p> <p>Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>																
A - Administrative Conditional Use																	
C - Conditional Use																	
S - Special Use																	

2
3

4 Section 5. Snohomish County Code Section 30.22.110, last amended by Emergency Ordinance No. 16-006 on
5 January 20, 2016, is amended to read:

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1 30.22.110 Rural and Resource Use Matrix

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Accessory Apartment ⁶²	A	A	A	A				A	A	A	A
Agriculture ⁴¹	P	P	P	P	P	P	P	P	P	P	P
Airport: Stage 1 Utility ¹	C	C	C ¹¹⁵					C			
Antique Shop	C		C ^{45, 115}	P ⁷⁹	P						
Art Gallery ⁴¹	C		C ¹¹⁵	P ⁷⁹	P						
Asphalt Batch Plant & Continuous Mix Asphalt Plant											P
Auto Repair, Minor				P ⁷⁸	P	P					
Auto Towing	C		C								
Bakery				P ⁷⁸	P						
Bakery, Farm ⁹⁷	P	P	P	P			P		P	P	
Bed and Breakfast Guesthouse ⁵⁸	C		C ¹¹⁵	P				C	C	A	
Bed and Breakfast Inn ⁵⁸	C		C ¹¹⁵	P				C	C	C	
Boarding House	P ¹⁵	P ¹⁵	P ^{15, 115}					P ¹⁵		P ¹⁵	
Boat Launch, Commercial ³¹		C							C		
Boat Launch, Non-commercial ³¹	C		C	C				C	C		
Campground								A ^{32, 127}	C ³²		
Caretaker's Quarters	P		C				P				P
Cemetery, Columbarium, Crematorium, Mausoleum ⁴¹	P		C ¹¹⁵								
Church ^{41, 129}	P		C ¹¹⁵	C	P						
Cold Storage							P				
Commercial Vehicle Home Basing			C ³³								
Commercial Vehicle Storage Facility				C			P				

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Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Community Club	P		C ¹¹⁵	P	P						
Community Facilities for Juveniles ¹⁰³											
1 to 8 residents			P ^{102,115}	P	P						
9 to 24 residents			S ^{103,115}	P	P						
Construction Contracting				P ^{80, 81}							
Country Club	C		C ¹¹⁵	P							
Craft Shop ²¹				P							
Dams, Power Plants, & Associated Uses									P		
Day Care Center ^{2, 129}	P		C ¹¹⁵	P	P	P					
Distillation of Alcohol	C ³⁴		C ^{34, 115}							C ³⁴	
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P				P	P	P	
Drug Store				P ⁷⁹	P						
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P ⁶			P	P	P	P
Dwelling, Single Family	P	P	P		P			P	P	P	P
Equestrian Center ^{41, 70, 72}	P	C	C ¹¹⁵					C	P	C ⁷⁰	
Excavation & Processing of Minerals ²⁸	A, C	A, C	A, C				A, C	A, P, C	A, C		A, C
Explosives, Storage	C	C	C				C	P	C		C
Fabrication Shop							P				
Fallout Shelter, Individual	P	P	P ¹¹⁵	P	P	P	P	P	P	P	P
Fallout Shelter, Joint ⁷	P		P	P	P	P	P	P	P	P	P
Family Day Care Home ^{8, 130}	P		P ¹¹⁵	P	P			P		P	
Farm Product Processing											
Up to 5,000 sq ft	P	P	P ¹¹⁵	P			P	P		P	

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Over 5,000 sq ft ⁹⁴	A	A	A ¹¹⁵	A			A	A		A	
Farm Support Business ⁹⁴	A	A	A ¹¹⁵	A			P			A	
Farm Stand											
Up to 400 sq ft ⁹	P	P	P ^{100, 115}	P	P	P	P	P	P	P	P
401 - 5,000 sq ft ^{99, 100}	P	P	P, A ¹⁰⁰	P	P	P	P	P	P	P	
Farm Workers Dwelling										P ¹⁰	
Farmers Market ⁹³	P	P	P ¹⁰¹ A ^{101, 115}	P	P	P	P			P	
Farmland Enterprises ⁹⁵		A	A ¹¹⁵							A	
Fish Farm	P	P	P ¹¹⁵					P	P	P	
Fix-it Shop				P ⁷⁸	P		P				
Forestry	P	P	P				P	P	P	P	P
Forestry Industry Storage & Maintenance Facility	P ³⁰	P					P	P	P		
Foster Home	P	P	P	P				P		P	
Garage, Detached Private Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P		P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P		P
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A		A
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C		C
Garage, Detached Private Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Golf Course and Driving Range ¹³⁰	C		C ¹¹⁵							C ⁷⁴	
Government Structures & Facilities ^{27, 41}	C	C	C ¹¹⁵	C	P		C	C	C		C

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Greenhouse, Lath House, Nurseries: ⁵² Retail	P	P	P ¹¹⁵	P	P		P	P		P	
Greenhouse, Lath House, Nurseries: ⁵² Wholesale	P	P	P ¹¹⁵	P	P		P	P		P	
Grocery Store				P ⁸⁰	P	P ⁸⁰					
Grooming Parlor					P						
Guesthouse ⁸⁵	P	P	P	P				P	P	P	
Hardware Store				P ⁸⁰	P						
Hazardous Waste Storage & Treatment Facilities Onsite ⁶⁵	P			P		P	P	P	P		
Health and Social Service Facility ⁹⁰											
Level I	P	P	P ¹¹⁵	P	P			P	P		P
Level II ^{41, 91, 129}			C ¹¹⁵	C							
Level III											
Home Improvement Center				P ⁸⁰	P						
Home Occupation ^{11, 84}	P ⁶⁴	P ⁶⁴	P ⁶⁴	P ⁶⁴	P			P ⁶⁴	P ⁶⁴	P ⁶⁴	P ⁶⁴
Homestead Parcel ⁴⁰	C		C ¹¹⁵							C	
Hotel/Motel				P		P					
Kennel, ⁴¹ Commercial ^{12, 130}	P	P	P ¹¹⁵					P		C	
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P					P		P	
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P				P		P	
Kitchen, farm	P	P	P	P			P			P	
Library ⁴¹	C		C ¹¹⁵	P							
Licensed Practitioner ^{29, 41}				P ⁷⁹							
Livestock Auction Facility	C ⁴⁸		C ^{48, 115}		P		P			C ⁴⁸	
Locksmith				P	P						
Log Scaling Station ¹³⁰	C	C	C ¹¹⁵				P	P	P	P	

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Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Lumberyard							P				
Manufacturing - All Other Forms Not Specifically Listed ⁸³				C			C				
((Marijuana Collective Garden ^{124,126,-131}))							((P))				
((Marijuana Collective Garden Dispensary, or Access Point ^{126,-131}))				((P))							
Marijuana Processing ^{124, 131}							P			P	
Marijuana Production ^{124, 131}							P			P	
Marijuana Retail ¹³¹				P							
Metal Working Shop				P ⁷⁸			P				
Mini-equestrian Center ^{41, 72}	P	P	P ¹¹⁵	P			P	P	P	P ⁷¹	
Model Hobby Park ^{75, 130}			A ¹¹⁵							A	
Model House/Sales Office	P	P	P ¹¹⁵					P	P		
Motocross Racetrack ¹²⁹			C ¹¹³						C ¹¹³		
Motor Vehicle & Equipment Sales					P ²³						
Museum ^{41, 130}	C		C ¹¹⁵	P						C ⁶¹	
Office, General				P	P						
Off-road vehicle use area, private									C ¹⁰⁹		
Park, Public ^{14, 130}	P	P	P	P	P		P	P	P	P	P
Park-and-Pool Lot				P	P	P	P				
Park-and-Ride Lot	C	C	C	P		P		C	C		
Personal Services Shop				P ⁷⁹	P						
Personal Wireless Communications Facilities ^{27, 41,104, 105, 106, 130}	C	C	C	C	C	C	C	C	C	C	C
Petroleum Products & Gas Storage - Bulk							P ⁴³				

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Print shop				P							
Public Events/Assemblies on Farmland ⁹⁶										P	
Race Track ^{24, 41, 129}			C ¹¹⁵								
Railroad Right-of-way	C	C	C ¹¹⁵		P		P	C	C	C	C
Recreational Facility Not Otherwise Listed ⁹⁸	C		C ¹¹⁵		P		P ⁷⁹	A, C ¹²⁷	A, C ¹²⁷	C	
Recreational Vehicle ¹⁹	P	P	P					P	P	P	
Recreational Vehicle Park									C		
Resort									C		
Restaurant				P ⁸⁰	P	P					
Retail Store				P ⁸⁰	P						
Rural Industries ⁴¹	P ²⁵										
Sanitary Landfill ¹²⁹	C	C	C ¹¹⁵					C			C
Sawmill	C ²⁶	C ²⁶	C ^{26, 115}				P	P	P		
Schools											
K-12 & Preschool ^{41, 68, 129}	C		C ¹¹⁵	P							
College ^{41, 68}	C		C ¹¹⁵								
Other ^{41, 68}				C			C				
Second Hand Store				P ⁷⁸	P						
Service Station ⁴¹				P	P	P					
Shake & Shingle Mill	C ²⁶	C ²⁶	C ^{26, 115}				P	P			
Shooting Range ⁹²	C	C	C					C			
Sludge Utilization ³⁹	C	C, P ⁵⁰	C ¹¹⁵					C		C	C ⁵⁶
Small Animal Husbandry ⁴¹	P		P		P			P	P	P	P
Specialty Store				P ⁷⁸	P						

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Stables	P	P	P	P			P	P	P	P	
Stockyard or Slaughter House ¹²⁹							C ⁴⁸				
Storage, Retail Sales Livestock Feed			P ^{54, 115}	P			P			P	
Storage Structure, Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Storage Structure, Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Studio ⁴¹	C ⁷⁷		C ^{77, 115}								
Swimming/Wading Pool ^{17, 41}	P	P	P					P	P	P	P
Tavern ⁴¹				P	P						
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A
Temporary Dwelling For Relative ¹⁸	A	A	A					A	A	A	A
Temporary Logging Crew Quarters								P	P		
Temporary Residential Sales Coach ⁷³	A		A ¹¹⁵								
Temporary Woodwaste Recycling ⁶³	A						A	A			
Temporary Woodwaste Storage ⁶³	A							A			
Tire Store					P						
Tool Sales & Rental				P	P						
Transit Center	C	C	C ¹¹⁵	P		P		C	C		
Ultralight Airpark ²⁰	C	C	C ¹¹⁵					C			

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ^{27, 129}	C	C	C	C	P	C	P	C	C	C	C
Utility Facilities, Transmission Wires or Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities - All Other Structures ^{27, 41, 130}	C	C	C	C	P	C	P	C	C	C	C
Veterinary Clinic	P		C ¹¹⁵	P	P					C	
Wedding Facility ^{87, 130}		P	P ¹¹⁵							P	
Woodwaste Recycling ⁵⁷	C	C	C				C	C			
Woodwaste Storage ⁵⁷	C	C	C				C	C			
Yacht/Boat Club				P			P				
P - Permitted Use	<p>A blank box indicates a use is not allowed in a specific zone.</p> <p>Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>										
A - Administrative Conditional Use											
C - Conditional Use											
S - Special Use											

2

Section 6. Snohomish County Code Section 30.22.130, last amended by
Emergency Ordinance No. 16-006 on January 20, 2016, is amended to read:

30.22.130 Reference notes for use matrix.

(1) Airport, Stage 1 Utility:

- (a) Not for commercial use and for use of small private planes;
- (b) In the RU zone, they shall be primarily for the use of the resident property owner; and
- (c) When the airport is included in an airpark, the disclosure requirements of SCC 30.28.005 shall apply.

(2) Day Care Center:

- (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones, shall only be permitted in connection with and secondary to a school facility or place of worship; and
- (b) Outdoor play areas shall be fenced or otherwise controlled, and noise buffering provided to protect adjoining residences.

(3) Dock and Boathouse, Private, Non-commercial: The following standards apply outside of shoreline jurisdiction only. If located within shoreline jurisdiction, the standards in SCC 30.67.515 apply instead.

- (a) The height of any covered over-water structure shall not exceed 12 feet as measured from the line of ordinary high water;
- (b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;
- (c) The entirety of such structures shall have a width no greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;
- (d) No over-water structure shall extend beyond the mean low water mark a distance greater than the average length of all preexisting over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;
- (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any boat moored at any wharf be used as a dwelling while so moored; and
- (f) Covered structures are subject to a minimum setback of three feet from any side lot line or extension thereof. No side yard setback shall be required for uncovered structures. No rear yard setback shall be required for any structure permitted hereunder.

(4) Dwelling, Single family: In PCB zones, shall be allowed only if included within the same structure as a commercial establishment. In the MHP zone, single family detached dwellings are limited to one per existing single legal lot of record.

(5) See chapter 30.31E SCC for rezoning to Townhouse zone, and chapter 30.23A SCC for design standards applicable to townhouse and attached single-family dwelling development.

(6) Dwelling, Mobile Home:

- (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater along its entire body length;
- (b) Shall be constructed with a non-metallic type, pitched roof;

- 1 (c) Except where the base of the mobile home is flush to ground level, shall be
2 installed either with:
3 (i) skirting material which is compatible with the siding of the mobile home; or
4 (ii) a perimeter masonry foundation;
5 (d) Shall have the wheels and tongue removed; and
6 (e) In the RU zone the above only applies if the permitted lot size is less than
7 20,000 square feet.

8 (7) Fallout Shelter, Joint, by two or more property owners:

9 Side and rear yard requirements may be waived by the department along the
10 boundaries lying between the properties involved with the proposal, and zone; provided
11 that its function as a shelter is not impaired.

12 (8) Family Day Care Home:

- 13 (a) No play yards or equipment shall be located in any required setback from a
14 street; and
15 (b) Outdoor play areas shall be fenced or otherwise controlled.

16 (9) Farm Stand:

- 17 (a) There shall be only one stand on each lot; and
18 (b) At least 50 percent by farm product unit of the products sold shall be grown,
19 raised or harvested in Snohomish County, and 75 percent by farm product unit of
20 the products sold shall be grown, raised or harvested in the State of Washington.

21 (10) Farm Worker Dwelling:

- 22 (a) At least one person residing in each farm worker dwelling unit shall be
23 employed full time in the farm operation;
24 (b) An agricultural farm worker dwelling unit affidavit must be signed and recorded
25 with the county attesting to the need for such dwellings to continue the farm
26 operation;
27 (c) The number of farm worker dwellings shall be limited to one per each 40 acres
28 under single contiguous ownership to a maximum of six total dwellings, with 40
29 acres being required to construct the first accessory dwelling unit. Construction of
30 the maximum number of dwelling units permitted shall be interpreted as
31 exhausting all residential potential of the land until such time as the property is
32 legally subdivided; and
33 (d) All farm worker dwellings must be clustered on the farm within a 10-acre
34 farmstead which includes the main dwelling. The farmstead's boundaries shall be
35 designated with a legal description by the property owner with the intent of allowing
36 maximum flexibility while minimizing interference with productive farm operation.
37 Farm worker dwellings may be located other than as provided for in this subsection
38 only if environmental or physical constraints preclude meeting these conditions.

39 (11) Home Occupation: See SCC 30.28.050.

40 (12) Kennel, Commercial: There shall be a five-acre minimum lot area; except in the R-5
41 and RD zones, where 200,000 square feet shall be the minimum lot area.

42 (13) Kennel, Private-breeding, and Kennel, Private Non-breeding: Where the animals
43 comprising the kennel are housed within the dwelling, the yard or some portion thereof
44 shall be fenced and maintained in good repair or to contain or to confine the animals
45 upon the property and restrict the entrance of other animals.

46 (14) Parks, Publicly-owned and Operated:

- 1 (a) No bleachers are permitted if the site is less than five acres in size;
2 (b) All lighting shall be shielded to protect adjacent properties; and
3 (c) No amusement devices for hire are permitted.
- 4 (15) Boarding House: There shall be accommodations for no more than two persons.
5 (16) RESERVED for future use (Social Service Center - DELETED by Amended Ord.
6 04-010 effective March 15, 2004)
7 (17) Swimming/Wading Pool (not to include hot tubs and spas): For the sole use of
8 occupants and guests:
9 (a) No part of the pool shall project more than one foot above the adjoining ground
10 level in a required setback; and
11 (b) The pool shall be enclosed with a fence not less than four feet high, of sufficient
12 design and strength to keep out children.
- 13 (18) Temporary Dwelling for a Relative:
14 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the
15 occupant(s) of the permanent dwelling;
16 (b) The relative must receive from, or administer to, the occupant of the other
17 dwelling continuous care and assistance necessitated by advanced age or
18 infirmity;
19 (c) The need for such continuous care and assistance shall be attested to in writing
20 by a licensed physician;
21 (d) The temporary dwelling shall be occupied by not more than two persons;
22 (e) Use as a commercial rental unit shall be prohibited;
23 (f) The temporary dwelling shall be situated not less than 20 feet from the
24 permanent dwelling on the same lot and shall not be located in any required yard
25 of the principal dwelling;
26 (g) A land use permit binder shall be executed by the landowner, recorded with the
27 Snohomish County auditor and a copy of the recorded document submitted to the
28 department for inclusion in the permit file;
29 (h) Adequate screening, landscaping, or other measures shall be provided
30 pursuant to SCC 30.25.028 to protect surrounding property values and ensure
31 compatibility with the immediate neighborhood;
32 (i) An annual renewal of the temporary dwelling permit, together with recertification
33 of need, shall be accomplished by the applicant through the department in the
34 same month of each year in which the initial mobile home/building permit was
35 issued;
36 (j) An agreement to terminate such temporary use at such time as the need no
37 longer exists shall be executed by the applicant and recorded with the Snohomish
38 County auditor; and
39 (k) Only one temporary dwelling may be established on a lot. The temporary
40 dwelling shall not be located on a lot on which a detached accessory apartment is
41 located.
- 42 (19) Recreational Vehicle:
43 (a) There shall be no more than one per lot;
44 (b) Shall not be placed on a single site for more than 180 days in any 12-month
45 period; and

(c) Shall be limited in the floodways to day use only (dawn to dusk) during the flood season (October 1st through March 30th) with the following exceptions:

- (i) Recreational vehicle use associated with a legally occupied dwelling to accommodate overnight guests for no more than a 21-day period;
- (ii) Temporary overnight use by farm workers on the farm where they are employed subject to subsections (19)(a) and (b) of this section; and
- (iii) Subject to subsections (19)(a) and (b) of this section, temporary overnight use in a mobile home park, which has been in existence continuously since 1970 or before, that provides septic or sewer service, water and other utilities, and that has an RV flood evacuation plan that has been approved and is on file with the department of emergency management and department of planning and development services.

(20) Ultralight Airpark:

(a) Applicant shall submit a plan for the ultralight airpark showing the location of all buildings, ground circulation, and parking areas, common flight patterns, and arrival and departure routes;

(b) Applicant shall describe in writing the types of activities, events, and flight operations which are expected to occur at the airpark; and

(c) Approval shall be dependent upon a determination by the county decision maker that all potential impacts such as noise, safety hazards, sanitation, traffic, and parking are compatible with the site and neighboring land uses, particularly those involving residential uses or livestock or small animal husbandry; and further that the proposed use can comply with Federal Aviation Administration regulations (FAR Part 103), which state that ultralight vehicle operations will not:

- (i) create a hazard for other persons or property;
- (ii) occur between sunset and sunrise;
- (iii) occur over any substantially developed area of a city, town, or settlement, particularly over residential areas or over any open air assembly of people; or
- (iv) occur in an airport traffic area, control zone, terminal control area, or positive control area without prior authorization of the airport manager with jurisdiction.

(21) Craft Shop:

(a) Articles shall not be manufactured by chemical processes;

(b) No more than three persons shall be employed at any one time in the fabricating, repair, or processing of materials; and

(c) The aggregate nameplate horsepower rating of all mechanical equipment on the premises shall not exceed two.

(22) Grocery and Drug Stores: In the FS zone, there shall be a 5,000-square foot floor area limitation.

(23) Motor Vehicle and Equipment Sales: In the CB and CRC zone, all display, storage, and sales activities shall be conducted indoors.

(24) Race Track: The track shall be operated in such a manner so as not to cause offense by reason of noise or vibration beyond the boundaries of the subject property.

(25) Rural Industry:

(a) The number of employees shall not exceed 10;

- (b) All operations shall be carried out in a manner so as to avoid the emission or creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage, water pollution, or other emissions which are unduly or unreasonably offensive or injurious to properties, residents, or improvements in the vicinity;
- (c) The owner of the rural industry must reside on the same premises as the rural industry and, in the RD zone, the residence shall be considered as a caretaker's quarters; and
- (d) Outside storage, loading or employee parking in the RD zone shall provide 15-foot wide Type A landscaping as defined in SCC 30.25.017.
- (26) Sawmill, Shake and Shingle Mill:
- (a) Such uses shall not include the manufacture of finished wood products such as furniture and plywood, but shall include lumber manufacturing;
- (b) The number of employees shall not exceed 25 during any eight-hour work shift;
- (c) All operations shall be carried out in a manner so as to avoid the emission or creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage, water pollution, or other emissions which are unduly or unreasonably offensive or injurious to properties, residents or improvements in the vicinity; and
- (d) Sawmills and shakemills adjacent to a state highway in the RU zone shall provide 25 feet of Type A landscaping as defined in SCC 30.25.017.
- (27) Governmental and Utility Structures and Facilities:
Special lot area requirements for this use are contained in SCC 30.23.200.
- (28) Excavation and Processing of Minerals:
- (a) This use, as described in SCC 30.31D.010(2), is allowed in the identified zones only where these zones coincide with the mineral lands designation in the comprehensive plan (mineral resource overlay or MRO), except for the MC zone where mineral lands designation is not required.
- (b) An Administrative Conditional Use Permit or a Conditional Use Permit is required pursuant to SCC 30.31D.030.
- (c) Excavation and processing of minerals exclusively in conjunction with forest practices regulated pursuant to chapter 76.09 RCW is permitted outright in the Forestry zone.
- (29) Medical Clinic, Licensed Practitioner: A prescription pharmacy may be permitted when located within the main building containing licensed practitioner(s).
- (30) Forest Industry Storage & Maintenance Facility (except harvesting) adjacent to property lines in the RU zone shall provide 15-foot wide Type A landscaping as defined in SCC 30.25.017.
- (31) Boat Launch Facilities, Commercial or Non-commercial:
- (a) The hearing examiner may regulate, among other factors, required launching depth, lengths of existing docks and piers;
- (b) Off-street parking shall be provided in an amount suitable to the expected usage of the facility. When used by the general public, the guideline should be 32 to 40 spaces capable of accommodating both a car and boat trailer for each ramp lane of boat access to the water;

- (c) A level vehicle-maneuvering space measuring at least 50 feet square shall be provided;
- (d) Pedestrian access to the water separate from the boat launching lane or lanes may be required where it is deemed necessary in the interest of public safety;
- (e) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare, and health; and
- (f) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.

(32) Campground:

- (a) The maximum overall density shall be seven camp or tent sites per acre in Forestry and Recreation (F&R) zoning and two camp or tent sites per acre in Forestry (F) zoning;
- (b) The minimum site size shall be 10 acres; and
- (c) Campgrounds in Forestry (F) zoning may not provide utility hookups (e.g. water, electric, sewage) to individual campsites; such hookups are allowed in campgrounds with Forestry and Recreation (F&R) zoning.

(33) Commercial Vehicle Home Basing:

- (a) The vehicles may be parked and maintained only on the property wherein resides a person who uses them in their business;
- (b) Two or more vehicles may be so based; and
- (c) The vehicles shall be in operable conditions.

(34) Distillation of Alcohol:

- (a) The distillation shall be from plant products, for the purpose of sale as fuel, and for the production of methane from animal waste produced on the premises;
- (b) Such distillation shall be only one of several products of normal agricultural activities occurring on the premises; and
- (c) By-products created in this process shall be used for fuel or fertilizer on the premises.

(35) RESERVED for future use (Group Care Facility - DELETED by Amended Ord. 04-010 effective March 15, 2004)

(36) Mobile Home and Travel Trailer Sales:

- (a) Property shall directly front upon a principal or minor arterial in order to reduce encroachment into the interior of IP designated areas;
- (b) The hearing examiner shall consider the visual and aesthetic characteristics of the use proposal and determine whether nearby business and industrial uses, existing or proposed, would be potentially harmed thereby. A finding of potential incompatibility shall be grounds for denial;
- (c) The conditional use permit shall include a condition requiring mandatory review by the hearing examiner at intervals not to exceed five years for the express purpose of evaluating the continued compatibility of the use with other IP uses. The review required herein is in addition to any review which may be held pursuant to SCC 30.42B.100, 30.42C.100 and 30.43A.100;
- (d) Such use shall not be deemed to be outside storage for the purpose of SCC 30.25.024; and

- (e) Such use shall be temporary until business or industrial development is timely on the site or on nearby IP designated property.
- (37) Small Animal Husbandry: There shall be a five-acre minimum site size.
- (38) Mobile Home Park: Such development must fulfill the requirements of chapter 30.42E SCC.
- (39) Sludge Utilization: See SCC 30.28.085.
- (40) Homestead Parcel: See SCC 30.28.055.
- (41) Special Setback Requirements for this use are contained in SCC 30.23.110 or 30.67.515 if within shoreline jurisdiction.
- (42) Minimum Lot Size for duplexes shall be one and one-half times the minimum lot size for single family dwellings. In the RU zone, this provision only applies when the minimum lot size for single family dwellings is 12,500 square feet or less.
- (43) Petroleum Products and Gas, Bulk Storage:
- (a) All above ground storage tanks shall be located 150 feet from all property lines; and
 - (b) Storage tanks below ground shall be located no closer to the property line than a distance equal to the greatest dimensions (diameter, length or height) of the buried tank.
- (44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a minimum of seven feet high shall be established and maintained in the LI zone. For requirements for this use, SCC 30.25.020 and 30.25.050 apply.
- (45) Antique Shops: When established as a home occupation as regulated by SCC 30.28.050(1); provided further that all merchandise sold or offered for sale shall be predominantly "antique" and antique-related objects.
- (46) Billboards: See SCC 30.27.080 for specific requirements.
- (47) Nursery, Wholesale: In R-20,000 zone, a wholesale nursery is permitted on three acres or more; a conditional use permit is required on less than three acres.
- (48) Stockyard and Livestock Auction Facility: The minimum lot size is 10 acres.
- (49) Restaurants and Personal Service Shops: Located to service principally the constructed industrial park uses.
- (50) Sludge Utilization: A conditional use permit is required for manufacture of materials by a non-governmental agency containing stabilized or digested sludge for a public utilization.
- (51) Single Family and Multifamily Dwellings: A prohibited use, except for the following:
- (a) Existing dwellings that are nonconforming as a result of a county-initiated rezone to BP may make improvements or additions provided such improvements are consistent with the bulk regulations contained in chapter 30.23 SCC; provided further that such improvements do not increase the ground area covered by the structural portion of the nonconforming use by more than 100 percent of that existing at the existing date of the nonconformance; and
 - (b) New single family and multifamily dwellings in the BP zone authorized pursuant to the provisions of SCC 30.31A.140.
- (52) Greenhouses, Lath Houses, and Nurseries:
- (a) Incidental sale of soil, bark, fertilizers, plant nutrients, rocks, and similar plant husbandry materials is permitted;

1 (b) Incidental sale of garden tools and associated gardening accessories shall be
2 permitted; however, the sale of motorized landscaping equipment such as lawn
3 mowers, weed eaters, edgers, and rototillers shall be prohibited;

4 (c) There shall be no on-site signs advertising uses other than the principal use;
5 and

6 (d) Incidental sales of garden tools and associated gardening accessories shall be
7 less than 25 percent of the sales of products produced in the greenhouse, lath
8 house, or nursery.

9 (53) Retail Store: See SCC 30.31A.120 for specific requirements for retail stores in the
10 BP zone.

11 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in
12 conjunction with a livestock auction facility.

13 (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter
14 10.01 SCC and machines and operations shall be muffled so as not to become
15 objectionable due to intermittence, beat frequency, or shrillness.

16 (56) Sludge Utilization: Only at a completed sanitary landfill or on a completed cell
17 within a sanitary landfill, subject to the provision of SCC 30.28.085.

18 (57) Woodwaste Recycling and Woodwaste Storage Facility: See SCC 30.28.095.

19 (58) Bed and Breakfast Guesthouses and Bed and Breakfast Inns: See SCC 30.28.020.

20 (59) Detached Accessory or Non-Accessory Private Garages and Storage Structures:
21 Subject to the following requirements:

22 (a) Special setback requirements for these uses are contained in SCC
23 30.23.110(20);

24 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any,
25 will not result in glare when viewed from the surrounding property or rights-of-way;

26 (c) The following compatibility standards shall apply:

27 (i) proposals for development in existing neighborhoods with a well-defined
28 character should be compatible with or complement the highest quality
29 features, architectural character and siting pattern of neighboring buildings.
30 Where there is no discernable pattern, the buildings shall complement the
31 neighborhood. Development of detached private garages and storage
32 structures shall not interrupt the streetscape or dwarf the scale of existing
33 buildings of existing neighborhoods. Applicants may refer to the Residential
34 Development Handbook for Snohomish County Communities to review
35 techniques recommended to achieve neighborhood compatibility;

36 (ii) building plans for all proposals larger than 2,400 square feet in the
37 Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural
38 cluster subdivisions shall document the use of building materials compatible
39 and consistent with existing on-site residential development exterior finishes;

40 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones
41 and rural cluster subdivisions, no portion of a detached accessory private
42 garage or storage structure shall extend beyond the building front of the
43 existing single family dwelling, unless screening, landscaping, or other
44 measures are provided to ensure compatibility with adjacent properties; and

45 (iv) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones
46 and rural cluster subdivisions, no portion of a detached non-accessory private

garage or storage structure shall extend beyond the building front of existing single family dwellings on adjacent lots where the adjacent dwellings are located within 10 feet of the subject property line. When a detached non-accessory private garage or storage structure is proposed, the location of existing dwellings on adjacent properties located within 10 feet of the subject site property lines shall be shown on the site plan;

(d) All detached accessory or non-accessory private garages and storage structures proposed with building footprints larger than 2,400 square feet shall provide screening or landscaping from adjacent properties pursuant to chapter 30.25 SCC;

(e) On lots less than 10 acres in size having no established residential use, only one non-accessory private garage and one storage structure shall be allowed. On lots 10 acres or larger without a residence where the cumulative square footage of all existing and proposed non-accessory private garages and storage structures is 6,000 square feet or larger, a conditional use permit shall be required.

(f) Where permitted, separation between multiple private garages or storage structures shall be regulated pursuant to subtitle 30.5 SCC.

(60) The cumulative square footage of all detached accessory and non-accessory private garages and storage structures shall not exceed 6,000 square feet on any lot less than five acres, except this provision shall not apply in the LDMR, MR, T, NB, GC, PCB, CB, FS, BP, IP, LI, HI, RB, RFS, CRC and RI zones.

(61) Museums: Museums within the agriculture A-10 zone are permitted only in structures which were legally existing on October 31, 1991.

(62) Accessory Apartments: See SCC 30.28.010.

(63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities: See SCC 30.28.090.

(64) RESERVED for future use.

(65) On-Site Hazardous Waste Treatment and Storage Facilities: Allowed only as an incidental use to any use generating hazardous waste which is otherwise allowed; provided that such facilities demonstrate compliance with the state siting criteria for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or hereafter amended.

(66) An application for a conditional use permit to allow an off-site hazardous waste treatment and storage facility shall demonstrate compliance with the state siting criteria for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or hereafter amended.

(67) Adult Entertainment Uses: See SCC 30.28.015.

(68) Special Building Height provisions for this use are contained in SCC 30.23.050(2)(d).

(69) Bakery: In the NB zone, the gross floor area of the use shall not exceed 1,000 square feet and the bakery business shall be primarily retail in nature.

(70) Equestrian Centers: Allowed with a conditional use permit on all lands zoned A-10 except in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

(71) Mini-Equestrian Centers are allowed as a permitted use on all lands zoned A-10 except in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

(72) Equestrian Centers and Mini-equestrian Centers require the following:

- (a) Five-acre minimum site size for a mini-equestrian center;
- (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian center; provided that stabling areas, whether attached or detached, shall not be included in this calculation;
- (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on surrounding properties or rights-of-way;
- (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC 30.25.017 is required to screen any outside storage, including animal waste storage, and parking areas from adjacent properties;
- (e) Riding lessons, rentals, or shows shall only occur between 8:00 a.m. and 9:00 p.m.;
- (f) Outside storage, including animal waste storage, and parking areas shall be set back at least 30 feet from any adjacent property line. All structures shall be set back as required in SCC 30.23.110(8); and
- (g) The facility shall comply with all applicable county building, health, and fire code requirements.

(73) Temporary Residential Sales Coach (TRSC):

- (a) The commercial coach shall be installed in accordance with all applicable provisions within chapter 30.54A SCC;
- (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road rights-of-way and five feet from proposed and existing property lines;
- (c) Vehicular access to the temporary residential sales coach shall be approved by the county or state; and
- (d) Temporary residential sales coaches may be permitted in approved preliminary plats, prior to final plat approval, when the following additional conditions have been met:
 - (i) plat construction plans have been approved;
 - (ii) the fire marshal has approved the TRSC proposal;
 - (iii) proposed lot lines for the subject lot are marked on site; and
 - (iv) the site has been inspected for TRSC installation to verify compliance with all applicable regulations and plat conditions, and to assure that land disturbing activity, drainage, utilities infrastructure, and native growth protection areas are not adversely affected.

(74) Golf Course and Driving Range: In the A-10 zone, artificial lighting of the golf course or driving range shall not be allowed. Land disturbing activity shall be limited in order to preserve prime farmland. At least 75 percent of prime farmland on site shall remain undisturbed.

(75) Model Hobby Park: SCC 30.28.060.

(76) Commercial Retail Uses: Not allowed in the Light Industrial and Industrial Park zones when said zones are located in the Maltby UGA of the comprehensive plan, and where such properties are, or can be served by railway spur lines.

(77) Studio: Studio uses may require the imposition of special conditions to ensure compatibility with adjacent residential, multiple family, or rural-zoned properties. The hearing examiner may impose such conditions when deemed necessary pursuant to the provisions of chapter 30.42C SCC. The following criteria are provided for hearing examiner consideration when specific circumstances necessitate the imposition of conditions:

(a) The number of nonresident artists and professionals permitted to use a studio at the same time may be limited to no more than 10 for any lot 200,000 square feet or larger in size, and limited to five for any lot less than 200,000 square feet in size;

(b) The hours of facility operation may be limited; and

(c) Landscape buffers may be required to visually screen facility structures or outdoor storage areas when the structures or outdoor storage areas are proposed within 100 feet of adjacent residential, multiple family, and rural-zoned properties. The buffer shall be an effective site obscuring screen consistent with Type A landscaping as defined in SCC 30.25.017.

(78) The gross floor area of the use shall not exceed 1,000 square feet.

(79) The gross floor area of the use shall not exceed 2,000 square feet.

(80) The gross floor area of the use shall not exceed 4,000 square feet.

(81) The construction contracting use in the Rural Business zone shall be subject to the following requirements:

(a) The use complies with all of the performance standards required by SCC 30.31F.100 and 30.31F.110;

(b) Not more than 1,000 square feet of outdoor storage of materials shall be allowed and shall be screened in accordance with SCC 30.25.024;

(c) In addition to the provisions of subsection (81)(b) of this section, not more than five commercial vehicles or construction machines shall be stored outdoors and shall be screened in accordance with SCC 30.25.020 and 30.25.032;

(d) The on-site fueling of vehicles shall be prohibited; and

(e) The storage of inoperable vehicles and hazardous or earth materials shall be prohibited.

(82) Manufacturing, Heavy includes the following uses: Distillation of wood, coal, bones, or the manufacture of their by-products; explosives manufacturing; manufacture of fertilizer; extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting of ore; manufacturing of acid, animal black/black bone, cement or lime, chlorine, creosote, fertilizer, glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling or booming mills; tannery; or tar distillation and manufacturing. See SCC 30.91M.028.

(83) "All other forms of manufacture not specifically listed" is a category which uses manufacturing workers, as described under the Dictionary of Occupational Titles, published by the US Department of Labor, to produce, assemble or create products and which the director finds consistent with generally accepted practices and performance standards for the industrial zone where the use is proposed. See SCC 30.91M.024 and 30.91M.026.

(84) RESERVED for future use.

(85) A single family dwelling may have only one guesthouse.

(86) Outdoor display or storage of goods and products is prohibited on site.

(87) Wedding Facility:

- 1 (a) Such use is permitted only:
2 (i) on vacant and undeveloped land;
3 (ii) on developed land, but entirely outside of any permanent structure;
4 (iii) partially outside of permanent structures and partially inside of one or
5 more permanent structures which were legally existing on January 1, 2001; or
6 (iv) entirely inside of one or more permanent structures which were legally
7 existing on January 1, 2001;
- 8 (b) The applicant shall demonstrate that the following criteria are met with respect
9 to the activities related to the use:
10 (i) compliance with the noise control provisions of chapter 10.01 SCC;
11 (ii) adequate vehicular site distance and safe turning movements exist at the
12 access to the site consistent with the EDDS as defined in Title 13 SCC; and
13 (iii) adequate sanitation facilities are provided on site pursuant to chapter
14 30.50 SCC and applicable Snohomish Health District provisions;
- 15 (c) Adequate on-site parking shall be provided for the use pursuant to SCC
16 30.26.035; and
- 17 (d) A certificate of occupancy shall be obtained pursuant to chapter 30.50 SCC for
18 the use of any existing structure.
- 19 (88) Public/Institutional Use Designation (P/IU): When applied to land that is (a)
20 included in an Urban Growth Area and (b) designated P/IU on the Snohomish County
21 Future Land Use Map concurrent with or prior to its inclusion in a UGA, the R-7,200, R-
22 8,400 and R-9,600 zones shall allow only the following permitted or conditional uses:
23 churches, and school instructional facilities. All other uses are prohibited within areas
24 that meet criteria (a) and (b), unless the P/IU designation is changed.
- 25 (89) Hotel/Motel Uses: Permitted in the Light Industrial zone when the following criteria
26 are met:
27 (a) The Light Industrial zone is located within a municipal airport boundary;
28 (b) The municipal airport boundary includes no less than 1,000 acres of land zoned
29 light industrial; and
30 (c) The hotel/motel use is served by both public water and sewer.
- 31 (90) Health and Social Service Facilities regulated under this title do not include secure
32 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See
33 SCC 30.91H.095.
- 34 (a) Snohomish County is preempted from regulation of SCTFs. In accordance with
35 the requirements of state law the county shall take all reasonable steps permitted
36 by chapter 71.09 RCW to ensure that SCTFs comply with applicable siting criteria
37 of state law. Every effort shall be made by the county through the available state
38 procedures to ensure strict compliance with all relevant public safety concerns,
39 such as emergency response time, minimum distances to be maintained by the
40 SCTF from "risk potential" locations, electronic monitoring of individual residents,
41 household security measures and program staffing.
- 42 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county
43 from evaluating, commenting on, or proposing public safety measures to the state
44 of Washington in response to a proposed siting of a SCTF in Snohomish County.

- (c) Nothing herein shall be interpreted to require or authorize the siting of more beds or facilities in Snohomish County than the county is otherwise required to site for its SCTFs pursuant to the requirements of state law.
- (91) Level II Health and Social Service Uses: Allowed outside the UGA only when the use is not served by public sewer.
- (92) The area of the shooting range devoted to retail sales of guns, bows, and related equipment shall not exceed one-third of the gross floor area of the shooting range and shall be located within a building or structure.
- (93) Farmers Market: See SCC 30.28.036.
- (94) Farm Product Processing and Farm Support Business: See SCC 30.28.038.
- (95) Farmland Enterprise: See SCC 30.28.037.
- (96) Public Events/Assemblies on Farmland: Such event or assembly shall:
- (a) Comply with the requirements of SCC 30.53A.800; and
 - (b) Not exceed two events per year. No event shall exceed two weeks in duration.
- (97) Bakery, Farm: The gross floor area of the use shall not exceed 1,000 square feet.
- (98) Recreational Facility Not Otherwise Listed in Ag-10 zone, Forestry (F), or Forestry and Recreation (F&R) zones: See SCC 30.28.076.
- (99) Farm Stand: See SCC 30.28.039.
- (100) Farm Stand: Allowed as a Permitted Use (P) when sited on land designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan.
- (101) Farmers Market: Allowed as a Permitted Use (P) when sited on land designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan.
- (102) Community Facilities for Juveniles in R-5 zones must be located within one mile of an active public transportation route at the time of permitting.
- (103) All community facilities for juveniles shall meet the performance standards set forth in SCC 30.28.025.
- (104) Personal Wireless Telecommunications Service Facilities: See chapter 30.28A SCC and landscaping standards in SCC 30.25.025.
- (105) Personal wireless telecommunications service facilities are subject to a building permit pursuant to SCC 30.28A.030 and the development standards set forth in chapter 30.28A SCC and landscaping standards in SCC 30.25.025.
- (106) A building permit only is required for facilities co-locating on existing utility poles, towers, and/or antennas unless otherwise specified in chapter 30.28A SCC.
- (107) Agricultural Composting Requirements:
- (a) On-farm site agricultural composting operations that comply with the requirements established in this section are allowed in the A-10 zone. These composting facilities and operations shall be constructed and operated in compliance with all applicable federal, state and local laws, statutes, rules and regulations. The Nutrient Management Plan portion of the farm's Snohomish Conservation District Farm Plan or any other established nutrient management

1 plan must be on file with the department when any application for a land use
2 permit or approval is submitted to the department for the development of an
3 agricultural composting facility. Farm site agricultural composting operations shall
4 also comply with the following criteria:

5 (i) The composting operation shall be limited to 10 percent of the total farm
6 site area;

7 (ii) At least 50 percent of the composted materials shall be agricultural waste;

8 (iii) At least 10 percent of the agricultural wastes must be generated on the
9 farm site;

10 (iv) A maximum of 500 cubic yards of unsuitable incidental materials
11 accumulated in the agricultural waste such as rock, asphalt, or concrete over
12 three inches in size may be stored at the farm composting facility until its
13 proper removal. All incidental materials must be removed from the site yearly;
14 and

15 (v) A minimum of 10 percent of the total volume of the finished compost
16 produced annually shall be spread on the farm site annually.

17 (b) In all other zones except A-10 where agriculture is a permitted use, incidental
18 agricultural composting of agricultural waste generated on a farm site is permitted.
19 The agricultural composting facility shall be constructed and operated in
20 compliance with all applicable federal, state and local laws, statutes, rules and
21 regulations. The Nutrient Management Plan portion of the farm's Snohomish
22 Conservation District Farm Plan or any other established nutrient management
23 plan must be on file with the department when any permit application is submitted
24 to the department for the development of an agricultural composting facility.

25 (108) RESERVED for future use. (Urban Center Demonstration Program projects -
26 DELETED by Ord. 09-079)

27 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by
28 conditional use permit on Forestry and Recreation (F&R) zoned property designated
29 Forest on the comprehensive plan future land use map. These areas shall be identified
30 by an F&R ORV suffix on the zoning map. Privately operated ORV use areas are
31 regulated pursuant to SCC 30.28.080 and 30.28.086 and other applicable county codes.

32 (110) RESERVED for future use.

33 (111) RESERVED for future use.

34 (112) RESERVED for future use. (Transfer of Development Rights receiving area
35 overlay - DELETED by Amended Ord. 13-064)

36 (113) Privately Operated Motocross Racetracks: Allowed by conditional use permit, and
37 are regulated pursuant to SCC 30.28.100 and 30.28.105, and other applicable county
38 codes. Motocross racetracks are allowed in the Forestry and Recreation (F&R) zone
39 only on commercial forest lands.

40 (114) New AM Radio Towers are prohibited. AM radio towers either constructed before
41 October 13, 2010, or with complete applications for all permits and approvals required
42 for construction before October 13, 2010, shall not be considered nonconforming uses
43 and they may be repaired, replaced, and reconfigured as to the number and dimensions
44 of towers so long as the repair, replacement, or reconfiguration occurs on the parcel
45 where the tower was originally constructed or permitted and it does not increase the
46 number of AM radio towers constructed on the parcel.

1 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO).
2 Public park is a permitted use on reclaimed portions of mineral excavation sites with the
3 MRO.
4 (116) See cottage housing design standard requirements in chapter 30.41G SCC.
5 (117) RESERVED for future use.
6 (118) RESERVED for future use.
7 (119) Only building mounted personal wireless communications facilities shall be
8 permitted.
9 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride
10 Lot.
11 (121) Permitted as an incidental use with a permitted use, conditional use or
12 administrative conditional use.
13 (122) Products or merchandise offered for sale or storage by a business may be located
14 outdoors; provided, that:
15 (a) The area occupied by the display shall not exceed 500 square feet; and
16 (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing
17 or other means that effectively limits public use of the sidewalk.
18 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted
19 only in structures which are legally existing on May 29, 2010. Such uses, except those
20 as provided for in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this
21 section.
22 (124) The minimum lot size for marijuana related facilities is 100,000 square feet.
23 Marijuana production and marijuana processing are allowed indoors and outdoors,
24 including in greenhouses and other structures pursuant to chapter 314-55 WAC. In the
25 A-10 zone, marijuana uses shall be subject to the same regulations that apply to
26 agricultural uses and not subject to any more restrictive regulations except as
27 specifically provided in this title and in state law. Marijuana processing is only allowed
28 when there is a marijuana production facility on site. Marijuana facilities are subject to
29 special setbacks pursuant to SCC 30.23.110(28).
30 (125) Marijuana production and processing is permitted indoors only; no outdoor
31 production or processing is allowed.
32 (~~(126) ((Notwithstanding all other provisions of this chapter, marijuana collective~~
33 ~~gardens, collective garden dispensaries, or access points in operation as of November~~
34 ~~1, 2013, shall be permitted uses in their current locations through December 31, 2015,~~
35 ~~provided that the use complies with all state laws related to medical marijuana and~~
36 ~~maintains a current certificate of occupancy. Such uses must close or relocate to a zone~~
37 ~~where they are a permitted use on or before January 1, 2016. New marijuana collective~~
38 ~~gardens, collective garden dispensaries, or access points after November 1, 2013, shall~~
39 ~~only be permitted in the zones specified in this chapter.))~~ RESERVED for future use.
40 (127) Campgrounds and Recreational Facilities Not Otherwise Listed are not allowed on
41 land designated Local Forest in the comprehensive plan.
42 (128) Development applications for all non-tribally owned, fee-simple properties
43 designated Reservation Commercial on the Snohomish County Future Land Use Map
44 must include an archaeology site report pursuant to SCC 30.32D.200(3)(b) or relocate
45 the project to avoid impacts to any archaeological resources.

1 (129) Development within an airport compatibility area is subject to the requirements of
2 chapter 30.32E SCC.

3 (130) On land designated as riverway commercial farmland, upland commercial
4 farmland or local commercial farmland or land zoned A-10 the following additional
5 requirements apply:

6 (a) the applicant must demonstrate that the use is incidental to the primary use of
7 the site for agricultural purposes and supports, promotes or sustains agricultural
8 operations and production;

9 (b) the use must be located, designed, and operated so as to not interfere with,
10 and to support the continuation of, the overall agricultural use of the property and
11 neighboring properties;

12 (c) the use and all activities and structures related to the use must be consistent
13 with the size, scale, and intensity of the existing agricultural use of the property
14 and the existing buildings on the site;

15 (d) the use and all activities and structures related to the use must be located
16 within the general area of the property that is already developed for buildings and
17 residential uses;

18 (e) where the property is less than 10 acres in size, the use and all structures and
19 activities related to the use shall not convert more than 10 percent of agricultural
20 land to nonagricultural uses;

21 (f) where the property is 10 acres in size or more, the use and all structures and
22 activities related to the use shall not convert more than one acre of agricultural
23 land to nonagricultural uses; and

24 (g) any land disturbing activity required to support the use shall be limited to
25 preserve prime farmland.

26 The provisions of subsections (130)(a) through (f) of this section do not apply to any
27 land under ownership or acquired before May 24, 2015, by any local, county, regional,
28 or state agency for recreation, public park and/or trail purposes. Any new development,
29 alterations or reconstruction on these properties shall meet subsection (130)(g) of this
30 section and the requirements of the A-10 zone. All buildings and parking areas shall be
31 set back a minimum of 50 feet from the property boundaries. If the park or trail use
32 produces adverse conditions that will unduly affect an adjacent agricultural use, the
33 director may impose a larger setback to alleviate the effects of such adverse conditions,
34 which include but are not limited to noise, vibration, dust, and light.

35 (131) Marijuana-related facilities are prohibited within the exterior boundaries of the
36 Tulalip Indian Reservation.

37
38 Section 7. Snohomish County Code Section 30.91M.034, last amended by
39 Amended Ordinance No. 13-086 on November 13, 2013, is repealed.

40
41 Section 8. Snohomish County Code Section 30.91M.036, last amended by
42 Amended Ordinance No. 13-086 on November 13, 2013, is repealed.

43
44 Section 9. Snohomish County Code Section 30.91M.038, last amended by
45 Amended Ordinance No. 13-086 on November 13, 2013, is amended to read:

1 30.91M.038 Marijuana processing.

2 "Marijuana processing" means a facility licensed by the state liquor ((control)) and
3 cannabis board to process marijuana into marijuana concentrates, useable marijuana,
4 and marijuana-infused products, package and label marijuana concentrates, useable
5 marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana
6 concentrates, useable marijuana, and marijuana-infused products at wholesale to
7 marijuana retailers.

8
9 Section 10. Snohomish County Code Section 30.91M.040, last amended by
10 Amended Ordinance No. 13-086 on November 13, 2013, is amended to read:

11
12 30.91M.040 Marijuana production.

13 "Marijuana production" means a facility licensed by the state liquor ((control)) and
14 cannabis board to produce and sell marijuana at wholesale to marijuana processors and
15 other marijuana producers.

16
17 Section 11. Snohomish County Code Section 30.91M.042, last amended by
18 Amended Ordinance No. 13-086 on November 13, 2013, is amended to read:

19
20 30.91M.042 Marijuana retail.

21 "Marijuana retail" means a facility licensed by the state liquor ((control)) and cannabis
22 board to sell marijuana concentrates, useable marijuana, and marijuana-infused
23 products in a retail outlet.

24
25 Section 12. Severability. If any section, sentence, clause or phrase of this
26 ordinance shall be held to be invalid or unconstitutional by the Growth Management
27 Hearings Board, or a court of competent jurisdiction, such invalidity or unconstitutionality
28 shall not affect the validity or constitutionality of any other section, sentence, clause or
29 phrase of this ordinance. Provided, however, that if any section, sentence, clause or
30 phrase of this ordinance is held to be invalid by the Board or court of competent
31 jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective
32 date of this ordinance shall be in full force and effect for that individual section,
33 sentence, clause or phrase as if this ordinance had never been adopted.

34
35 PASSED this ____ day of _____, 2016.

36
37 SNOHOMISH COUNTY COUNCIL
38 Snohomish County, Washington

39
40
41
42 _____
43 Council Chair

44 ATTEST:

45
46 _____
Asst. Clerk of the Council

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() APPROVED
() EMERGENCY
() VETOED

DATE: _____

County Executive

ATTEST:

Approved as to form only:

Christi L. Riedel 4/18/2016
Deputy Prosecuting Attorney

Snohomish County: Analysis of Building and Land Use Regulation Effects on Housing and Jobs

Proposed Regulation: ORDINANCE NO. _____ RELATING TO GROWTH MANAGEMENT, REVISING REGULATIONS FOR MARIJUANA BUSINESSES, AMENDING SECTIONS 30.22.100, 30.22.110 AND 30.22.130, AND AMENDING DEFINITIONS IN CHAPTER 30.91M OF THE SNOHOMISH COUNTY CODE

Date: April 15, 2016

Staff Contact: Alison Hodgkin, PDS, extension 2975

	Increase	Decrease	Neutral	Uncertain	Comments
Housing					
Capacity/Targets			X		Not impacted by proposal
Cost of housing dvpt:			X		Not impacted by proposal
• Infrastructure			X		Not impacted by proposal
• Site			X		Not impacted by proposal
• Building const.			X		Not impacted by proposal
• Fees			X		Not impacted by proposal
• Yield			X		Not impacted by proposal
Timing			X		Not impacted by proposal
Jobs					
Capacity/Targets			X		Not impacted by proposal
Cost of com'l/ind dvpt:			X		Not impacted by proposal
• Infrastructure			X		Not impacted by proposal
• Site			X		Not impacted by proposal
• Building const.			X		Not impacted by proposal
• Fees			X		Not impacted by proposal
• Yield			X		Not impacted by proposal
Time to Create Jobs			X		Not impacted by proposal
# Family Wage Jobs			X		Not impacted by proposal

Discussion:

This is a non-project proposal adopting amendments to Title 30 of the Snohomish County Code revising regulations pertaining to marijuana-related facilities.

The proposal does not relate to housing development and therefore has a neutral impact on housing supply and opportunities.

Snohomish County Capital Facility Development Cost Analysis Summary

Project/Document Title: RELATING TO GROWTH MANAGEMENT, REVISING REGULATIONS FOR MARIJUANA BUSINESSES, AMENDING SECTIONS 30.22.100, 30.22.110 AND 30.22.130, AND AMENDING DEFINITIONS IN CHAPTER 30.91M OF THE SNOHOMISH COUNTY CODE

Date: April 15, 2016

Primary Staff Contact: Alison Hodgkin, PDS, extension 2975

General Cost Analysis Summary: This is a non-project proposal to adopt amendments to Title 30 of the Snohomish County Code revising regulations pertaining to marijuana-related facilities. The recommendation is not anticipated to increase the demand for county capital facilities.

Necessary Facility	Quantification/Qualification of Anticipated Cost:
Parks	County Funded Impacts – None anticipated. Other Fund Sources Impacts – None.
Roads & Transit	County Funded Impacts – None anticipated. An increase in vehicle trips is not anticipated, additional costs to improve and maintain roads is not anticipated. Other Fund Sources Impacts – None.
Surface Water	County Funded Impacts- None anticipated. Other Fund Sources Impacts – None.
Public Schools	County Funded Impacts – None, funding of schools responsibility of local district. Other Fund Sources Impacts – None.
Electric Power	County Funded Impacts – None, funding of electric power is the responsibility of the local district or city. Other Fund Sources Impacts – None.
Public Water	County Funded Impacts – None, funding of public water is the responsibility of the local district or city. Other Fund Sources Impacts – None.
Wastewater	County Funded Impacts – None, funding of wastewater treatment is the responsibility of the local district or city. Other Fund Sources Impacts – None.



SNOHOMISH COUNTY PLANNING COMMISSION

March 23, 2016

The Honorable Dave Somers, County Executive
County Administration Building
M/S 407, 3000 Rockefeller Avenue
Everett, WA 98201-4046

SUBJECT: Planning Commission recommendations on a council-referred draft ordinance titled: ORDINANCE NO. _____ RELATING TO GROWTH MANAGEMENT; REVISING REGULATIONS FOR MARIJUANA BUSINESSES, AMENDING SCC 30.22.100, 30.22.110 AND 30.22.130, AND AMENDING DEFINITIONS IN CHAPTER 30.91M SCC

Dear Executive Somers:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendations regarding a proposal to amend Title 30 of Snohomish County Code (SCC) for consistency with recent changes made to state law as a result of adoption of the Cannabis Patient Protection Act (SB 5052). Chapters 69.50 and 69.51A Revised Code of Washington (RCW) now require that medical marijuana collective garden and dispensary uses be eliminated effective July 1, 2016.

The Planning Commission had a staff briefing on February 23, 2016, and conducted a public hearing on March 22, 2016, to consider the proposal which would:

1. Amend the Urban and Rural and Resource Use Matrices in SCC 30.22.100 and .110 to eliminate "Marijuana Collective Garden" and "Marijuana Collective Garden Dispensary or Access Point" uses.
2. Repeal Reference Note 126 in SCC 30.22.130 to remove outdated language requiring collective garden and dispensary uses to locate in a zone where they are permitted by January 1, 2016.
3. Amend Chapter 30.91M SCC to: (1) repeal definitions for the eliminated uses and (2) update definitions for the remaining uses consistent with the recent changes in state law.

At the February 23, 2016, informational briefing, Planning and Development Services (PDS) staff provided additional information and detail on the proposed code amendments described in the staff report dated February 10, 2016. No written or oral testimony was received from the public at the March 22, 2016, public hearing on this proposal. Therefore, the Planning Commission closed public testimony on March 22, 2016, and concluded deliberations.

The Planning Commission makes the following recommendation to the County Council after considering information presented during the public hearing process:

Motion was made by Commissioner Palumbo and seconded by Commissioner Hannam to adopt the PDS findings and conclusions and recommend approval of the proposal without amendment.

Vote on the Motion:

- 9 in favor (Ash, Hannam, Kaufman, Larsen, Norcott, Palumbo, Stanford, Strandy, Taft)
- 0 opposed
- 0 abstentions
- 2 absent (Fowler, McLaughlin)

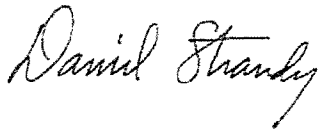
Motion Passed

The recommendation is made after due consideration of the original proposal, information submitted by county staff and following the public hearing process.

Thank you for considering our recommendations.

Respectfully submitted,

SNOHOMISH COUNTY PLANNING COMMISSION

A handwritten signature in black ink that reads "Daniel Strandy". The signature is written in a cursive, flowing style.

Daniel Strandy, Chair

cc: Barb Mock, Director, Planning and Development Services

Attachments:

Attachment 1 Findings and Conclusions

Attachment 2 Planning Commission February 23, 2016, Briefing - Minutes

Attachment 3 Planning Commission March 22, 2016, Public Hearing - Draft Minutes



Snohomish County
Planning and Development Services

Dave Somers
County Executive

Barb Mock, Interim Director
3000 Rockefeller Avenue M/S #604
Everett, WA 98201-4046
(425) 388-3311 FAX (425) 388-3832

MEMORANDUM

To: Snohomish County Planning Commission

From: Alison Hodgkin, Senior Planner

Date: March 9, 2016

Re: Supplemental Staff Report: 2016 Update to
Regulations for Medical Marijuana Facilities

PDS provided commissioners with a staff report on February 10, 2016, for the February 23, 2016, informational briefing on medical marijuana updates. The February 10, 2016, staff report included background information on recent changes made to Chapters 69.50 and 69.51A Revised Code of Washington (RCW) as a result of the passage of the Cannabis Patient Protection Act (SB 5052).

As conveyed at the February 23, 2016, informational briefing, the county must amend its regulations pertaining to marijuana-related facilities in order to achieve consistency with these new state regulations by July 1, 2016. PDS staff did not receive any questions from commissioners at the informational briefing on this project.

The purpose of this supplemental staff report is to transmit the draft findings and conclusions and proposed code amendments to regulations for medical marijuana facilities in advance of the Planning Commission public hearing on this project scheduled for March 22, 2016.

Attachments

Attachment 1	Draft Recommended Findings of Fact and Conclusions
Attachment 2	Proposed Code Amendments

Attachment 1: Draft Findings and Conclusions – Medical Marijuana 2016 Update

A. The Snohomish County Planning Commission makes the following findings of fact in support of the proposed amendments:

1. The Planning Commission held a public hearing on March 22, 2016, to receive public testimony concerning the proposed code amendments contained in this ordinance.
2. At the conclusion of the Planning Commission's public hearing, the Planning Commission voted to _____ the proposed code amendments as set forth in its recommendation letter dated _____, 2016.

B. The proposed code amendments would:

1. Amend Chapter 30.22 Snohomish County Code (SCC) (Uses Allowed in Zones) to eliminate medical marijuana collective garden and dispensary uses.
2. Amend Chapter 30.91M SCC (Definitions) to repeal definitions for the eliminated uses and expand the definition of marijuana retail consistent with the recent changes in state law.

C. The proposed code amendments are consistent with recent updates to state law in Chapter 69.51A Revised Code of Washington (RCW) as a result of passage of Senate Bill 5052 (Cannabis Patient Protection Act).

F. The proposed code amendments are consistent with and implement the following Snohomish County Growth Management Act Comprehensive Plan (GMACP) General Policy Plan (GPP) goals, objectives, and policies by achieving consistency with new state regulations:

1. Goal ED 1: "Promote the maintenance and enhancement of a healthy economy."
2. Objective ED 2.A: "Develop and maintain a regulatory system that is fair, understandable, coordinated and timely."
3. ED Policy 2.A.1: "Snohomish County shall ensure that revisions to the Snohomish County Code result in a more understandable, accessible, and user friendly document which eliminates unnecessary and clarifies confusing code provisions."
4. ED Policy 2.A.2: "Snohomish County should stress predictability but maintain enough flexibility in the Comprehensive Plan and development codes to allow for timely response to unanticipated and desirable developments."

G. Procedural requirements.

1. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010 and is consistent with state law and chapter 30.73 SCC.
2. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this non-project action will be satisfied through the completion of an environmental checklist and the issuance of a threshold determination on _____, 2016.
3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt the proposed code amendments will be transmitted to the Washington State Department of Commerce for distribution to state agencies on _____, 2016.
4. The public participation process used for the proposed code amendments has complied with all applicable requirements of the GMA and the SCC.
5. As required by RCW 36.70A.370, the Washington State Attorney General last issued an advisory memorandum in December 2015 entitled "Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property" to help local governments avoid the unconstitutional taking of private property. The process outlined in the State Attorney General's 2015 advisory memorandum was used by Snohomish County in objectively evaluating the regulatory changes proposed by this proposal.

H. The proposed amendments are consistent with the record.

1. Snohomish County currently allows Marijuana Collective Gardens and Marijuana Collective Garden Dispensaries or Access Points as permitted uses in the Urban and Rural Use Matrices in Chapter 30.22 SCC.
2. Proposed amendments to SCC 30.22.100 and .110 would repeal these uses and associated reference notes in SCC 30.22.130 from county code achieving consistency with state law.
3. Snohomish County currently provides definitions for marijuana-related facilities in Chapter 30.91M SCC (Definitions).
4. Proposed amendments to Chapter 30.91M SCC would repeal definitions for repealed uses and amend remaining definitions in county code to achieve consistency with state law.

I. The Snohomish County Planning Commission makes the following conclusions in support of this ordinance.

1. The proposed code amendments are consistent with the goals, objectives and policies of the GMACP.
2. The proposed code amendments are consistent with Washington State law and the Snohomish County Code.
3. The County has complied with all SEPA requirements with respect to this non-project action.
4. The actions proposed by these amendments will not result in an unconstitutional taking of private property for a public purpose.

DRAFT

Attachment 2: Proposed Code Amendments to Regulations for Medical Marijuana Facilities

1 30.22.100 Urban Zone Categories: Use Matrix

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Accessory Apartment ⁶²	A	A	A	A	A	A	A		A	A							
Adult Entertainment Business/Use ⁶⁷												P		P	P		
Agriculture ^{41, 107}	P	P	P		P	P	P		P	P		P	P	P	P	P	
Airport, Stage 1 Utility ¹	C	C	C						P	P		P	P	P	P		
Airport-All Others												P	P	P	P		
Amusement Facility ^{41, 129}								P	P	P		P		P	P		P
Antique Shop							P		P	P				P	P		P
Art Gallery ⁴¹	C	C	C		C	C	P	P	P	P		P	P	P	P		P
Asphalt Batch Plant & Continuous Mix Asphalt Plant												P			P		
Auto Repair, Major										P		P	P	P	P		P
Auto Repair, Minor							P	P	P ⁸⁶	P	P	P	P	P	P		P
Auto Towing														P	P		
Auto Wrecking Yard														C ⁴⁴	P ⁴⁴		
Bakery							P ⁶⁹	P	P	P		P	P	P	P		P
Bed and Breakfast Guesthouse ⁵⁸	C	C	C	C	C	C										C	
Billboards ⁴⁶																	
Non-digital										P				P	P		
Digital										P				P	P		
Boarding House	P ¹⁵	P ¹⁵	P ¹⁵		P	P	P		P	P						P	P
Boat Launch, Commercial ³¹									C	C				C	C		P
Boat Launch, Non-commercial ³¹	C	C	C		C	C			C	C				C	C		
Boat Sales										P				P	P		
Caretaker's Quarters												P	P	P	P		

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Cemetery, Columbarium, Crematorium, Mausoleum ⁴¹	C	C	C		C	C			P	P		P	P	P	P		P
Church ^{41, 129}	C	C	C		P	P	P	P	P	P		P	P	P	P		P
Cleaning Establishment							P	P	P	P		P	P	P	P		P
Clubhouse					C	C	C	P	P	P		P	P	P	P	P	P
Cold Storage										P		P	P	P	P		
Commercial Vehicle Storage Facility										P		P	P	P	P		
Community Club	C	C	C		C	C	C		P	P		P	P	P	P	P	P
Community Facilities for Juveniles ¹⁰³																	
1 to 8 Resident Facility	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
9 to 24 Resident Facility	S	S	S	S	S	P	P	P	P	P		P	P	P	P	P	P
Construction Contracting										P		P	P	P	P		P ¹²³
Country Club	C	C	C									P	P	P	P		P
Craft Shop ²¹									P ⁸⁶	P		P	P	P	P		P
Day Care Center ^{2, 129}	C	C	C		C	C	P	P	P	P	P	P	P	P	P	A	P
Department Store								P	P ⁸⁶	P				P	P		P
Distillation of Alcohol												P	P	P	P		P
Distillation of Wood, Coal, Bones or Manufacturing of Their By-products												P			P		
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P	P	P	P		P	P		P	P	P	P		
Drug Store							P	P	P	P	P ²²			P	P		P
Dwelling, Attached Single Family	P	P	P	P	P	P	P	P	P	P							
Dwelling, Cottage Housing ¹¹⁶	A	A	A	A	A												
Dwelling, Duplex	P ⁴²	P ⁴²	P ⁴²	P	P	P	P		P	P							
Dwelling, Mobile Home	P ⁶	P ⁶	P ⁶	P ⁶	P	P	P ⁶		P ⁶	P ⁶						P	

TYPE OF USE	R9,600 ⁸⁹	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Dwelling, Multifamily					P	P	P	P	P	P			P ⁵¹				P
Dwelling, Single Family	P	P	P	P	P	P	P	P ⁴	P	P			P ⁵¹			P ⁴	
Dwelling, Townhouse ⁵			A	P	P	P	P	P	P	P							P
Electric Vehicle Infrastructure																	
Electric Vehicle Charging Station - Restricted, Level 1, and Level 2 ¹²¹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging Station - Public, Level 1 and Level 2							P	P	P	P	P	P	P	P	P		P
Electric Vehicle Charging Station, Level 3	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P	P		P
Battery Exchange Stations	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P	P		P
Explosives, Manufacturing												P			P		
Explosives, Storage												P			P		
Extraction of Animal or Fish Fat or Oil												P			P		
Fabrication Shop										P		P	P	P	P		P ¹²³
Fairgrounds										P		P	P	P	P		
Fallout Shelter, Individual	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Fallout Shelter, Joint ⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Family Day Care Home ⁸	P	P	P	P	P	P	P		P	P						P	
Farm Product Processing																	
Up to 5,000 sq ft									P	P				P	P		
Over 5,000 sq ft ⁹⁴									A	P				P	P		
Farm Stand																	
Up to 400 sq ft ⁹	P	P	P						P	P				P	P		P
401 to 5,000 sq ft ⁹⁹																	
Farmers Market ⁹³										P			P	P	P		P
Financial Institutions							P	P	P	P		P	P	P	P		P

TYPE OF USE	R9,600 ⁸⁵	R8,400 ⁸⁶	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	ES	IP ⁷⁶	BP	LI ⁵⁵⁻⁷⁶	HI ⁵⁵	MHP ¹¹⁴	UG ¹²²
Fish Farm												P	P	P	P		
Fix-it Shop								P	P ⁸⁶	P		P	P	P	P		P
Forestry												P		P	P		
Forge, Foundry, Blast Furnace for Melting of Ore															P		
Foster Home	P	P	P	P	P	P	P		P	P						P	
Fuel & Coal Yard										P		P	P	P	P		
Garage, Detached Private Accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	
2,401 - 4,000 sq ft on Less than 3 Acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	
4,001 sq ft and Greater ^{41,59}	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	
Garage, Detached Private Non-accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2,401 sq ft and greater ^{41,59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Golf Course and Driving Range	C	C	C						P	P		P	P	P	P		
Government Structures & Facilities ^{27, 41}	C	C	C	C	C	C	C	P	P	P		P	P	P	P		P
Greenhouse, Lath House, & Nurseries: ⁵² Retail							P	P	P	P				P	P		
Greenhouse, Lath House, & Nurseries: ⁵² Wholesale							P	P	P	P		P	P	P	P		
Grocery Store							P	P	P ⁸⁶	P	P ²²			P	P		P
Grooming Parlor							P	P	P	P			P ⁵³	P	P		P
Guesthouse ⁸⁵	P	P	P		P	P	P	P	P	P						P	
Gymnasium								P	P	P		P	P	P	P		P
Hardware Store							P	P	P	P				P	P		P

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Hazardous Waste Storage & Treatment Facilities, Offsite ⁶⁶												C	C	C	C		
Hazardous Waste Storage & Treatment Facilities, Onsite ⁶⁵							P	P	P	P	P	P	P	P	P		
Health and Social Service Facility ⁹⁰																	
Level I	P	P	P	P	P	P	P	P	P	P			P			P	P
Level II ^{41, 129}	C	C	C		C	C	C	P	P	P			P			C	P
Level III						C	C	P	P	P		P		P	P	C	P
Home Improvement Center							P	P	P ⁸⁶	P				P	P		P
Home Occupation ¹¹	P	P	P	P	P	P	P		P	P						P	P
Hotel/Motel					C	C		P	P	P	P			P ⁸⁹			P
Junkyard														C ⁴⁴	P ⁴⁴		
Kennel, ⁴¹ Commercial ¹²	C	C	C						P	P		P	P	P	P		
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P		P	P	P		P	P		P	P	P	P		
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P		P	P	P		P	P		P					
Laboratory										P		P	P	P	P		P
Library ⁴¹	C	C	C		C	C	C	P	P	P		P	P	P	P		P
Licensed Practitioner ^{29,41}					C	C	P	P	P	P		P	P	P	P		P
Livestock Auction Facility												P		P	P		
Locksmith							P	P	P ⁸⁶	P		P	P	P	P		P
Lumberyard										P		P	P	P	P		
Manufacturing, Heavy ⁸²												P			P		
Manufacturing-All Other Forms Not Specifically Listed ⁸³												P	P	P	P		P ¹²³
((Marijuana Collective Garden ^{125, 134}))												((P))	((P))	((P))	((P))		

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LD	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LJ ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
((Marijuana Collective Garden Dispensary, or Access Point ¹³⁴))							((P))	((P))	((P))	((P))			((P))	((P))	((P))		((P))
Marijuana Processing ^{125, 131}												P	P	P	P		
Marijuana Production ^{125, 131}												P	P	P	P		
Marijuana Retail ¹³¹							P	P	P	P			P	P	P		P
Massage Parlor									P	P		P	P	P	P		P
Medical Clinic ²⁹					C	C	P	P	P	P		P	P	P	P		P
Mini Self-Storage								P		P		P	P	P	P		
Mobile Home Park ³⁸					C	C			C	C						P	
Mobile Home & Travel Trailer Sales										P		C ³⁶		P	P		
Model Hobby Park ⁷⁵													A	A	A		
Model House/Sales Office	P	P	P	P	P	P	P	P	P	P							P
Mortuary					C	C			P	P		P	P	P	P		P
Motocross Racetrack ¹²⁹										C ¹¹³		C ¹¹³	C ¹¹³	C ¹¹³	C ¹¹³		
Motor Vehicle & Equipment Sales									P ²³	P				P	P		
Museum ⁴¹	C	C	C		C	C	C	P	P	P		P	P	P	P		P
Office, General							P	P	P	P		P	P	P	P		P
Park, Public ¹⁴	P	P	P		P	P	P	P	P	P		P	P	P	P		P
Park-and-Pool Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Park-and-Ride Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Personal Services Shop							P	P	P ⁸⁶	P		P ⁴⁹	P ⁴⁹	P	P		P
Personal Wireless Communications Facilities ^{27, 41, 104, 105, 106}	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P ¹¹⁹
Pet Shop							P	P	P	P			P ⁵³	P	P		P
Petroleum Products & Gas Storage - Bulk ⁴³										P		P	P	P	P		

TYPE OF USE	R9,600 ⁶⁸	R8,400 ⁶⁸	R7,200 ⁶⁸	T	LDNR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Petroleum Refining ⁴³												P					
Print Shop									P ⁸⁶	P		P	P	P	P		P
Printing Plant								P		P		P	P	P	P		P ¹²³
Race Track ^{24, 41, 129}										C		P	P	P	P		
Railroad Right-of-way	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P		P	P	P	P		P
Recreational Vehicle Park									C	C	P					C	
Rendering of Fat, Tallow, or Lard ¹²⁹												P			P		
Restaurant							P	P	P	P	P	P ⁴⁹	P ⁴⁹	P	P		P
Retail Store							P	P	P ⁸⁶	P			P ⁵³	P	P		P
Retirement Apartments				P	P	P	P	P	P	P						P	P
Retirement Housing				P	P	P	P	P	P	P						P	P
Rolling or Blooming Mills												P			P		
Sanitary Landfill ¹²⁹	C	C	C						C	C		C	C	C	C		
Sawmill										P		P	P	P	P		
Schools																	
K-12 & Preschool ^{41, 68, 129}	C	C	C		C	C			P	P		P	P	P	P		P
College ^{41, 68}	C	C	C		C	C			P	P		P	P	P	P		P
Other ^{41, 68}					C	C			P	P		P	P	P	P		P
Second Hand Store									P ⁸⁶	P				P	P		P
Service Station ⁴¹							P	P	P ⁸⁶	P	P			P	P		P
Shake & Shingle Mill										P		P	P	P	P		
Shooting Range ⁹²												P	P	P	P		
Sludge Utilization ³⁹	C ⁵⁶	C ⁵⁶	C ⁵⁶		C ⁵⁶	C ⁵⁶			C ⁵⁶	C ⁵⁶		C ⁵⁶		C ⁵⁶	P		

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LD	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
															C ⁵⁰		
Small Animal Husbandry ⁴¹	C ³⁷	C ³⁷	C ³⁷				P		P	P		P	P	P	P		
Specialty Store							P	P	P ⁸⁶	P				P	P		P
Stables	P	P	P		P	P	P	P	P	P		P	P	P	P		
Stockyard or Slaughter House ¹²⁹												P			P		
Storage, Retail Sales Livestock Feed									P	P				P	P		
Storage Structure, Accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater ^{41,59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Storage Structure, Non-accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41,59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Studio ⁴¹	C ⁷⁷	C ⁷⁷	C ⁷⁷		C ⁷⁷	C ⁷⁷	P	P	P ⁸⁶	P		P	P	P	P		P
Swimming/Wading Pool ^{17, 41}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Tannery												P			P		
Tar Distillation or Manufacturing												P			P		
Tavern ⁴¹								P	P	P				P	P		P
Television/Radio Stations														P	P		
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A						A
Temporary Dwelling For Relative ¹⁸	A	A	A	A	A	A	A	A	A	A	A						
Temporary Residential Sales Coach ⁷³	A	A	A														A
Temporary Woodwaste Recycling ⁶³														A	A		

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹²²
Temporary Woodwaste Storage ⁶³														A	A		
Tire Store							P	P	P ⁸⁶	P				P	P		P
Tool Sales & Rental									P ⁸⁶	P				P	P		P
Transit Center	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Ultralight Airpark ²⁰												P					
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ^{27, 129}	C	C	C	C	C	C	C	P	P ⁸⁶	P	C	P	P	P	P		
Utility Facilities, Transmission Wires, Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures ^{27, 41}	C	C	C	C	C	C	C	P	P ⁸⁶	P	C	P	P	P	P	C	P
Veterinary Clinic					C	C	P	P	P ⁸⁶	P		P	P	P	P		P
Warehousing										P		P	P	P	P		P ¹²³
Wholesale Establishment								P	P ⁸⁶	P		P	P	P	P		P ¹²³
Woodwaste Recycling ⁵⁷														C	C		
Woodwaste Storage ⁵⁷														C	C		
Yacht/Boat Club												P	P	P	P		P
All other uses not otherwise mentioned												P	P	P	P		

P - Permitted Use

A - Administrative Conditional Use

C - Conditional Use

S - Special Use

A blank box indicates a use is not allowed in a specific zone.

Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.

Check other matrices in this chapter if your use is not listed above.

2
3

4 Section 4. Snohomish County Code Section 30.22.110, last amended by Amended Ordinance No. 15-009 on May
5 6, 2015, is amended to read:

1 30.22.110 Rural and Resource Use Matrix

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Accessory Apartment ⁶²	A	A	A	A				A	A	A	A
Agriculture ⁴¹	P	P	P	P	P	P	P	P	P	P	P
Airport: Stage 1 Utility ¹	C	C	C ¹¹⁵					C			
Antique Shop	C		C ^{45, 115}	P ⁷⁹	P						
Art Gallery ⁴¹	C		C ¹¹⁵	P ⁷⁹	P						
Asphalt Batch Plant & Continuous Mix Asphalt Plant											P
Auto Repair, Minor				P ⁷⁸	P	P					
Auto Towing	C		C								
Bakery				P ⁷⁸	P						
Bakery, Farm ⁹⁷	P	P	P	P			P		P	P	
Bed and Breakfast Guesthouse ⁵⁸	C		C ¹¹⁵	P				C	C	A	
Bed and Breakfast Inn ⁵⁸	C		C ¹¹⁵	P				C	C	C	
Boarding House	P ¹⁵	P ¹⁵	P ^{15, 115}					P ¹⁵		P ¹⁵	
Boat Launch, Commercial ³¹		C							C		
Boat Launch, Non-commercial ³¹	C		C	C				C	C		
Campground								A ^{32, 127}	C ³²		
Caretaker's Quarters	P		C				P				P
Cemetery, Columbarium, Crematorium, Mausoleum ⁴¹	P		C ¹¹⁵								
Church ^{41, 129}	P		C ¹¹⁵	C	P						
Cold Storage							P				
Commercial Vehicle Home Basing			C ³³								
Commercial Vehicle Storage Facility				C			P				

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Community Club	P		C ¹¹⁵	P	P						
Community Facilities for Juveniles ¹⁰³											
1 to 8 residents			P ^{102,115}	P	P						
9 to 24 residents			S ^{103,115}	P	P						
Construction Contracting				P ^{80, 81}							
Country Club	C		C ¹¹⁵	P							
Craft Shop ²¹				P							
Dams, Power Plants, & Associated Uses									P		
Day Care Center ^{2, 129}	P		C ¹¹⁵	P	P	P					
Distillation of Alcohol	C ³⁴		C ^{34, 115}							C ³⁴	
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P				P	P	P	
Drug Store				P ⁷⁹	P						
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P ⁶			P	P	P	P
Dwelling, Single Family	P	P	P		P			P	P	P	P
Equestrian Center ^{41, 70, 72}	P	C	C ¹¹⁵					C	P	C ⁷⁰	
Excavation & Processing of Minerals ²⁸	A, C	A, C	A, C				A, C	A, P, C	A, C		A, C
Explosives, Storage	C	C	C				C	P	C		C
Fabrication Shop							P				
Fallout Shelter, Individual	P	P	P ¹¹⁵	P	P	P	P	P	P	P	P
Fallout Shelter, Joint ⁷	P		P	P	P	P	P	P	P	P	P
Family Day Care Home ^{8, 130}	P		P ¹¹⁵	P	P			P		P	
Farm Product Processing											
Up to 5,000 sq ft	P	P	P ¹¹⁵	P			P	P		P	

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Over 5,000 sq ft ⁹⁴	A	A	A ¹¹⁵	A			A	A		A	
Farm Support Business ⁹⁴	A	A	A ¹¹⁵	A			P			A	
Farm Stand											
Up to 400 sq ft ⁹	P	P	P ^{100, 115}	P	P	P	P	P	P	P	P
401 - 5,000 sq ft ^{99, 100}	P	P	P, A ¹⁰⁰	P	P	P	P	P	P	P	
Farm Workers Dwelling										P ¹⁰	
Farmers Market ⁹³	P	P	P ¹⁰¹ A ^{101, 115}	P	P	P	P			P	
Farmland Enterprises ⁹⁵		A	A ¹¹⁵							A	
Fish Farm	P	P	P ¹¹⁵					P	P	P	
Fix-it Shop				P ⁷⁸	P		P				
Forestry	P	P	P				P	P	P	P	P
Forestry Industry Storage & Maintenance Facility	P ³⁰	P					P	P	P		
Foster Home	P	P	P	P				P		P	
Garage, Detached Private Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P		P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P		P
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A		A
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C		C
Garage, Detached Private Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Golf Course and Driving Range ¹³⁰	C		C ¹¹⁵							C ⁷⁴	
Government Structures & Facilities ^{27, 41}	C	C	C ¹¹⁵	C	P		C	C	C		C
Greenhouse, Lath House, Nurseries: ⁵² Retail	P	P	P ¹¹⁵	P	P		P	P		P	

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Greenhouse, Lath House, Nurseries: ⁵² Wholesale	P	P	P ¹¹⁵	P	P		P	P		P	
Grocery Store				P ⁸⁰	P	P ⁸⁰					
Grooming Parlor					P						
Guesthouse ⁸⁵	P	P	P	P				P	P	P	
Hardware Store				P ⁸⁰	P						
Hazardous Waste Storage & Treatment Facilities Onsite ⁶⁵	P			P		P	P	P	P		
Health and Social Service Facility ⁹⁰											
Level I	P	P	P ¹¹⁵	P	P			P	P		P
Level II ^{41, 91, 129}			C ¹¹⁵	C							
Level III											
Home Improvement Center				P ⁸⁰	P						
Home Occupation ^{11, 84}	P ⁶⁴	P ⁶⁴	P ⁶⁴	P ⁶⁴	P			P ⁶⁴	P ⁶⁴	P ⁶⁴	P ⁶⁴
Homestead Parcel ⁴⁰	C		C ¹¹⁵							C	
Hotel/Motel				P		P					
Kennel, ⁴¹ Commercial ^{12, 130}	P	P	P ¹¹⁵					P		C	
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P					P		P	
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P				P		P	
Kitchen, farm	P	P	P	P			P			P	
Library ⁴¹	C		C ¹¹⁵	P							
Licensed Practitioner ^{29, 41}				P ⁷⁹							
Livestock Auction Facility	C ⁴⁸		C ^{48, 115}		P		P			C ⁴⁸	
Locksmith				P	P						
Log Scaling Station ¹³⁰	C	C	C ¹¹⁵				P	P	P	P	
Lumberyard							P				

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	GRC	RFS	RI	F	F&R	A-10	MC
Manufacturing - All Other Forms Not Specifically Listed ⁸³				C			C				
((Marijuana Collective Garden ^{124, 126, 131})							((P))				
((Marijuana Collective Garden Dispensary, or Access Point ^{126, 131})				((P))							
Marijuana Processing ^{124, 131}							P			P	
Marijuana Production ^{124, 131}							P			P	
Marijuana Retail ¹³¹				P							
Metal Working Shop				P ⁷⁸			P				
Mini-equestrian Center ^{41, 72}	P	P	P ¹¹⁵	P			P	P	P	P ⁷¹	
Model Hobby Park ^{75, 130}			A ¹¹⁵							A	
Model House/Sales Office	P	P	P ¹¹⁵					P	P		
Motocross Racetrack ¹²⁹			C ¹¹³						C ¹¹³		
Motor Vehicle & Equipment Sales					P ²³						
Museum ^{41, 130}	C		C ¹¹⁵	P						C ⁶¹	
Office, General				P	P						
Off-road vehicle use area, private									C ¹⁰⁹		
Park, Public ^{14, 130}	P	P	P	P	P		P	P	P	P	P
Park-and-Pool Lot				P	P	P	P				
Park-and-Ride Lot	C	C	C	P		P		C	C		
Personal Services Shop				P ⁷⁹	P						
Personal Wireless Communications Facilities ^{27, 41, 104, 105, 106, 130}	C	C	C	C	C	C	C	C	C	C	C
Petroleum Products & Gas Storage - Bulk							P ⁴³				
Print shop				P							

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Public Events/Assemblies on Farmland ⁹⁶										P	
Race Track ^{24, 41, 129}			C ¹¹⁵								
Railroad Right-of-way	C	C	C ¹¹⁵		P		P	C	C	C	C
Recreational Facility Not Otherwise Listed ⁹⁸	C		C ¹¹⁵		P		P ⁷⁹	A, C ¹²⁷	A, C ¹²⁷	C	
Recreational Vehicle ¹⁹	P	P	P					P	P	P	
Recreational Vehicle Park									C		
Resort									C		
Restaurant				P ⁸⁰	P	P					
Retail Store				P ⁸⁰	P						
Rural Industries ⁴¹	P ²⁵										
Sanitary Landfill ¹²⁹	C	C	C ¹¹⁵					C			C
Sawmill	C ²⁶	C ²⁶	C ^{26, 115}				P	P	P		
Schools											
K-12 & Preschool ^{41, 68, 129}	C		C ¹¹⁵	P							
College ^{41, 68}	C		C ¹¹⁵								
Other ^{41, 68}				C			C				
Second Hand Store				P ⁷⁸	P						
Service Station ⁴¹				P	P	P					
Shake & Shingle Mill	C ²⁶	C ²⁶	C ^{26, 115}				P	P			
Shooting Range ⁹²	C	C	C					C			
Sludge Utilization ³⁹	C	C, P ⁵⁰	C ¹¹⁵					C		C	C ⁵⁶
Small Animal Husbandry ⁴¹	P		P		P			P	P	P	P
Specialty Store				P ⁷⁸	P						
Stables	P	P	P	P			P	P	P	P	

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Stockyard or Slaughter House ¹²⁹							C ⁴⁸				
Storage, Retail Sales Livestock Feed			P ^{54, 115}	P			P			P	
Storage Structure, Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Storage Structure, Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Studio ⁴¹	C ⁷⁷		C ^{77, 115}								
Swimming/Wading Pool ^{17, 41}	P	P	P					P	P	P	P
Tavern ⁴¹				P	P						
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A
Temporary Dwelling For Relative ¹⁸	A	A	A					A	A	A	A
Temporary Logging Crew Quarters								P	P		
Temporary Residential Sales Coach ⁷³	A		A ¹¹⁵								
Temporary Woodwaste Recycling ⁶³	A						A	A			
Temporary Woodwaste Storage ⁶³	A							A			
Tire Store					P						
Tool Sales & Rental				P	P						
Transit Center	C	C	C ¹¹⁵	P		P		C	C		
Ultralight Airpark ²⁰	C	C	C ¹¹⁵					C			
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ^{27, 129}	C	C	C	C	P	C	P	C	C	C	C

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Utility Facilities, Transmission Wires or Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities - All Other Structures ^{27, 41, 130}	C	C	C	C	P	C	P	C	C	C	C
Veterinary Clinic	P		C ¹¹⁵	P	P					C	
Wedding Facility ^{87, 130}		P	P ¹¹⁵							P	
Woodwaste Recycling ⁵⁷	C	C	C				C	C			
Woodwaste Storage ⁵⁷	C	C	C				C	C			
Yacht/Boat Club				P			P				
P - Permitted Use	<p>A blank box indicates a use is not allowed in a specific zone.</p> <p>Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>										
A - Administrative Conditional Use											
C - Conditional Use											
S - Special Use											

30.22.130 Reference notes for use matrix.

(1) Airport, Stage 1 Utility:

- (a) Not for commercial use and for use of small private planes;
- (b) In the RU zone, they shall be primarily for the use of the resident property owner; and
- (c) When the airport is included in an airpark, the disclosure requirements of SCC 30.28.005 shall apply.

(2) Day Care Center:

- (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones, shall only be permitted in connection with and secondary to a school facility or place of worship; and
- (b) Outdoor play areas shall be fenced or otherwise controlled, and noise buffering provided to protect adjoining residences.

(3) Dock and Boathouse, Private, Non-commercial: The following standards apply outside of shoreline jurisdiction only. If located within shoreline jurisdiction, the standards in SCC 30.67.515 apply instead.

- (a) The height of any covered over-water structure shall not exceed 12 feet as measured from the line of ordinary high water;
- (b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;
- (c) The entirety of such structures shall have a width no greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;
- (d) No over-water structure shall extend beyond the mean low water mark a distance greater than the average length of all preexisting over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;
- (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any boat moored at any wharf be used as a dwelling while so moored; and
- (f) Covered structures are subject to a minimum setback of three feet from any side lot line or extension thereof. No side yard setback shall be required for uncovered structures. No rear yard setback shall be required for any structure permitted hereunder.

(4) Dwelling, Single family: In PCB zones, shall be allowed only if included within the same structure as a commercial establishment. In the MHP zone, single family detached dwellings are limited to one per existing single legal lot of record.

(5) See chapter 30.31E SCC for rezoning to Townhouse zone, and chapter 30.23A SCC for design standards applicable to townhouse and attached single-family dwelling development.

(6) Dwelling, Mobile Home:

- (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater along its entire body length;
- (b) Shall be constructed with a non-metallic type, pitched roof;
- (c) Except where the base of the mobile home is flush to ground level, shall be installed either with:
 - (i) skirting material which is compatible with the siding of the mobile home; or

- 1 (ii) a perimeter masonry foundation;
- 2 (d) Shall have the wheels and tongue removed; and
- 3 (e) In the RU zone the above only applies if the permitted lot size is less than
- 4 20,000 square feet.
- 5 (7) Fallout Shelter, Joint, by two or more property owners:
- 6 Side and rear yard requirements may be waived by the department along the
- 7 boundaries lying between the properties involved with the proposal, and zone; provided
- 8 that its function as a shelter is not impaired.
- 9 (8) Family Day Care Home:
- 10 (a) No play yards or equipment shall be located in any required setback from a
- 11 street; and
- 12 (b) Outdoor play areas shall be fenced or otherwise controlled.
- 13 (9) Farm Stand:
- 14 (a) There shall be only one stand on each lot; and
- 15 (b) At least 50 percent by farm product unit of the products sold shall be grown,
- 16 raised or harvested in Snohomish County, and 75 percent by farm product unit of
- 17 the products sold shall be grown, raised or harvested in the State of Washington.
- 18 (10) Farm Worker Dwelling:
- 19 (a) At least one person residing in each farm worker dwelling unit shall be
- 20 employed full time in the farm operation;
- 21 (b) An agricultural farm worker dwelling unit affidavit must be signed and recorded
- 22 with the county attesting to the need for such dwellings to continue the farm
- 23 operation;
- 24 (c) The number of farm worker dwellings shall be limited to one per each 40 acres
- 25 under single contiguous ownership to a maximum of six total dwellings, with 40
- 26 acres being required to construct the first accessory dwelling unit. Construction of
- 27 the maximum number of dwelling units permitted shall be interpreted as
- 28 exhausting all residential potential of the land until such time as the property is
- 29 legally subdivided; and
- 30 (d) All farm worker dwellings must be clustered on the farm within a 10-acre
- 31 farmstead which includes the main dwelling. The farmstead's boundaries shall be
- 32 designated with a legal description by the property owner with the intent of allowing
- 33 maximum flexibility while minimizing interference with productive farm operation.
- 34 Farm worker dwellings may be located other than as provided for in this subsection
- 35 only if environmental or physical constraints preclude meeting these conditions.
- 36 (11) Home Occupation: See SCC 30.28.050.
- 37 (12) Kennel, Commercial: There shall be a five-acre minimum lot area; except in the R-5
- 38 and RD zones, where 200,000 square feet shall be the minimum lot area.
- 39 (13) Kennel, Private-breeding, and Kennel, Private Non-breeding: Where the animals
- 40 comprising the kennel are housed within the dwelling, the yard or some portion thereof
- 41 shall be fenced and maintained in good repair or to contain or to confine the animals
- 42 upon the property and restrict the entrance of other animals.
- 43 (14) Parks, Publicly-owned and Operated:
- 44 (a) No bleachers are permitted if the site is less than five acres in size;
- 45 (b) All lighting shall be shielded to protect adjacent properties; and
- 46 (c) No amusement devices for hire are permitted.

1 (15) Boarding House: There shall be accommodations for no more than two persons.

2 (16) RESERVED for future use (Social Service Center - DELETED by Amended Ord.
3 04-010 effective March 15, 2004)

4 (17) Swimming/Wading Pool (not to include hot tubs and spas): For the sole use of
5 occupants and guests:

6 (a) No part of the pool shall project more than one foot above the adjoining ground
7 level in a required setback; and

8 (b) The pool shall be enclosed with a fence not less than four feet high, of sufficient
9 design and strength to keep out children.

10 (18) Temporary Dwelling for a Relative:

11 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the
12 occupant(s) of the permanent dwelling;

13 (b) The relative must receive from, or administer to, the occupant of the other
14 dwelling continuous care and assistance necessitated by advanced age or
15 infirmity;

16 (c) The need for such continuous care and assistance shall be attested to in writing
17 by a licensed physician;

18 (d) The temporary dwelling shall be occupied by not more than two persons;

19 (e) Use as a commercial rental unit shall be prohibited;

20 (f) The temporary dwelling shall be situated not less than 20 feet from the
21 permanent dwelling on the same lot and shall not be located in any required yard
22 of the principal dwelling;

23 (g) A land use permit binder shall be executed by the landowner, recorded with the
24 Snohomish County auditor and a copy of the recorded document submitted to the
25 department for inclusion in the permit file;

26 (h) Adequate screening, landscaping, or other measures shall be provided
27 pursuant to SCC 30.25.028 to protect surrounding property values and ensure
28 compatibility with the immediate neighborhood;

29 (i) An annual renewal of the temporary dwelling permit, together with recertification
30 of need, shall be accomplished by the applicant through the department in the
31 same month of each year in which the initial mobile home/building permit was
32 issued;

33 (j) An agreement to terminate such temporary use at such time as the need no
34 longer exists shall be executed by the applicant and recorded with the Snohomish
35 County auditor; and

36 (k) Only one temporary dwelling may be established on a lot. The temporary
37 dwelling shall not be located on a lot on which a detached accessory apartment is
38 located.

39 (19) Recreational Vehicle:

40 (a) There shall be no more than one per lot;

41 (b) Shall not be placed on a single site for more than 180 days in any 12-month
42 period; and

43 (c) Shall be limited in the floodways to day use only (dawn to dusk) during the flood
44 season (October 1st through March 30th) with the following exceptions:

45 (i) Recreational vehicle use associated with a legally occupied dwelling to
46 accommodate overnight guests for no more than a 21-day period;

(ii) Temporary overnight use by farm workers on the farm where they are employed subject to subsections (19)(a) and (b) of this section; and
(iii) Subject to subsections (19)(a) and (b) of this section, temporary overnight use in a mobile home park, which has been in existence continuously since 1970 or before, that provides septic or sewer service, water and other utilities, and that has an RV flood evacuation plan that has been approved and is on file with the department of emergency management and department of planning and development services.

(20) Ultralight Airpark:

(a) Applicant shall submit a plan for the ultralight airpark showing the location of all buildings, ground circulation, and parking areas, common flight patterns, and arrival and departure routes;

(b) Applicant shall describe in writing the types of activities, events, and flight operations which are expected to occur at the airpark; and

(c) Approval shall be dependent upon a determination by the county decision maker that all potential impacts such as noise, safety hazards, sanitation, traffic, and parking are compatible with the site and neighboring land uses, particularly those involving residential uses or livestock or small animal husbandry; and further that the proposed use can comply with Federal Aviation Administration regulations (FAR Part 103), which state that ultralight vehicle operations will not:

(i) create a hazard for other persons or property;

(ii) occur between sunset and sunrise;

(iii) occur over any substantially developed area of a city, town, or settlement, particularly over residential areas or over any open air assembly of people; or

(iv) occur in an airport traffic area, control zone, terminal control area, or positive control area without prior authorization of the airport manager with jurisdiction.

(21) Craft Shop:

(a) Articles shall not be manufactured by chemical processes;

(b) No more than three persons shall be employed at any one time in the fabricating, repair, or processing of materials; and

(c) The aggregate nameplate horsepower rating of all mechanical equipment on the premises shall not exceed two.

(22) Grocery and Drug Stores: In the FS zone, there shall be a 5,000-square foot floor area limitation.

(23) Motor Vehicle and Equipment Sales: In the CB and CRC zone, all display, storage, and sales activities shall be conducted indoors.

(24) Race Track: The track shall be operated in such a manner so as not to cause offense by reason of noise or vibration beyond the boundaries of the subject property.

(25) Rural Industry:

(a) The number of employees shall not exceed 10;

(b) All operations shall be carried out in a manner so as to avoid the emission or creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage, water pollution, or other emissions which are unduly or unreasonably offensive or injurious to properties, residents, or improvements in the vicinity;

- (c) The owner of the rural industry must reside on the same premises as the rural industry and, in the RD zone, the residence shall be considered as a caretaker's quarters; and
- (d) Outside storage, loading or employee parking in the RD zone shall provide 15-foot wide Type A landscaping as defined in SCC 30.25.017.
- (26) Sawmill, Shake and Shingle Mill:
- (a) Such uses shall not include the manufacture of finished wood products such as furniture and plywood, but shall include lumber manufacturing;
- (b) The number of employees shall not exceed 25 during any eight-hour work shift;
- (c) All operations shall be carried out in a manner so as to avoid the emission or creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage, water pollution, or other emissions which are unduly or unreasonably offensive or injurious to properties, residents or improvements in the vicinity; and
- (d) Sawmills and shakemills adjacent to a state highway in the RU zone shall provide 25 feet of Type A landscaping as defined in SCC 30.25.017.
- (27) Governmental and Utility Structures and Facilities:
Special lot area requirements for this use are contained in SCC 30.23.200.
- (28) Excavation and Processing of Minerals:
- (a) This use, as described in SCC 30.31D.010(2), is allowed in the identified zones only where these zones coincide with the mineral lands designation in the comprehensive plan (mineral resource overlay or MRO), except for the MC zone where mineral lands designation is not required.
- (b) An Administrative Conditional Use Permit or a Conditional Use Permit is required pursuant to SCC 30.31D.030.
- (c) Excavation and processing of minerals exclusively in conjunction with forest practices regulated pursuant to chapter 76.09 RCW is permitted outright in the Forestry zone.
- (29) Medical Clinic, Licensed Practitioner: A prescription pharmacy may be permitted when located within the main building containing licensed practitioner(s).
- (30) Forest Industry Storage & Maintenance Facility (except harvesting) adjacent to property lines in the RU zone shall provide 15-foot wide Type A landscaping as defined in SCC 30.25.017.
- (31) Boat Launch Facilities, Commercial or Non-commercial:
- (a) The hearing examiner may regulate, among other factors, required launching depth, lengths of existing docks and piers;
- (b) Off-street parking shall be provided in an amount suitable to the expected usage of the facility. When used by the general public, the guideline should be 32 to 40 spaces capable of accommodating both a car and boat trailer for each ramp lane of boat access to the water;
- (c) A level vehicle-maneuvering space measuring at least 50 feet square shall be provided;
- (d) Pedestrian access to the water separate from the boat launching lane or lanes may be required where it is deemed necessary in the interest of public safety;

- (e) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare, and health; and
- (f) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.
- (32) Campground:
- (a) The maximum overall density shall be seven camp or tent sites per acre in Forestry and Recreation (F&R) zoning and two camp or tent sites per acre in Forestry (F) zoning;
- (b) The minimum site size shall be 10 acres; and
- (c) Campgrounds in Forestry (F) zoning may not provide utility hookups (e.g. water, electric, sewage) to individual campsites; such hookups are allowed in campgrounds with Forestry and Recreation (F&R) zoning.
- (33) Commercial Vehicle Home Basing:
- (a) The vehicles may be parked and maintained only on the property wherein resides a person who uses them in their business;
- (b) Two or more vehicles may be so based; and
- (c) The vehicles shall be in operable conditions.
- (34) Distillation of Alcohol:
- (a) The distillation shall be from plant products, for the purpose of sale as fuel, and for the production of methane from animal waste produced on the premises;
- (b) Such distillation shall be only one of several products of normal agricultural activities occurring on the premises; and
- (c) By-products created in this process shall be used for fuel or fertilizer on the premises.
- (35) RESERVED for future use (Group Care Facility - DELETED by Amended Ord. 04-010 effective March 15, 2004)
- (36) Mobile Home and Travel Trailer Sales:
- (a) Property shall directly front upon a principal or minor arterial in order to reduce encroachment into the interior of IP designated areas;
- (b) The hearing examiner shall consider the visual and aesthetic characteristics of the use proposal and determine whether nearby business and industrial uses, existing or proposed, would be potentially harmed thereby. A finding of potential incompatibility shall be grounds for denial;
- (c) The conditional use permit shall include a condition requiring mandatory review by the hearing examiner at intervals not to exceed five years for the express purpose of evaluating the continued compatibility of the use with other IP uses. The review required herein is in addition to any review which may be held pursuant to SCC 30.42B.100, 30.42C.100 and 30.43A.100;
- (d) Such use shall not be deemed to be outside storage for the purpose of SCC 30.25.024; and
- (e) Such use shall be temporary until business or industrial development is timely on the site or on nearby IP designated property.
- (37) Small Animal Husbandry: There shall be a five-acre minimum site size.
- (38) Mobile Home Park: Such development must fulfill the requirements of chapter 30.42E SCC.

- (39) Sludge Utilization: See SCC 30.28.085.
- (40) Homestead Parcel: See SCC 30.28.055.
- (41) Special Setback Requirements for this use are contained in SCC 30.23.110 or 30.67.515 if within shoreline jurisdiction.
- (42) Minimum Lot Size for duplexes shall be one and one-half times the minimum lot size for single family dwellings. In the RU zone, this provision only applies when the minimum lot size for single family dwellings is 12,500 square feet or less.
- (43) Petroleum Products and Gas, Bulk Storage:
- (a) All above ground storage tanks shall be located 150 feet from all property lines; and
- (b) Storage tanks below ground shall be located no closer to the property line than a distance equal to the greatest dimensions (diameter, length or height) of the buried tank.
- (44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a minimum of seven feet high shall be established and maintained in the LI zone. For requirements for this use, SCC 30.25.020 and 30.25.050 apply.
- (45) Antique Shops: When established as a home occupation as regulated by SCC 30.28.050(1); provided further that all merchandise sold or offered for sale shall be predominantly "antique" and antique-related objects.
- (46) Billboards: See SCC 30.27.080 for specific requirements.
- (47) Nursery, Wholesale: In R-20,000 zone, a wholesale nursery is permitted on three acres or more; a conditional use permit is required on less than three acres.
- (48) Stockyard and Livestock Auction Facility: The minimum lot size is 10 acres.
- (49) Restaurants and Personal Service Shops: Located to service principally the constructed industrial park uses.
- (50) Sludge Utilization: A conditional use permit is required for manufacture of materials by a non-governmental agency containing stabilized or digested sludge for a public utilization.
- (51) Single Family and Multifamily Dwellings: A prohibited use, except for the following:
- (a) Existing dwellings that are nonconforming as a result of a county-initiated rezone to BP may make improvements or additions provided such improvements are consistent with the bulk regulations contained in chapter 30.23 SCC; provided further that such improvements do not increase the ground area covered by the structural portion of the nonconforming use by more than 100 percent of that existing at the existing date of the nonconformance; and
- (b) New single family and multifamily dwellings in the BP zone authorized pursuant to the provisions of SCC 30.31A.140.
- (52) Greenhouses, Lath Houses, and Nurseries:
- (a) Incidental sale of soil, bark, fertilizers, plant nutrients, rocks, and similar plant husbandry materials is permitted;
- (b) Incidental sale of garden tools and associated gardening accessories shall be permitted; however, the sale of motorized landscaping equipment such as lawn mowers, weed eaters, edgers, and rototillers shall be prohibited;
- (c) There shall be no on-site signs advertising uses other than the principal use; and

1 (d) Incidental sales of garden tools and associated gardening accessories shall be
2 less than 25 percent of the sales of products produced in the greenhouse, lath
3 house, or nursery.

4 (53) Retail Store: See SCC 30.31A.120 for specific requirements for retail stores in the
5 BP zone.

6 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in
7 conjunction with a livestock auction facility.

8 (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter
9 10.01 SCC and machines and operations shall be muffled so as not to become
10 objectionable due to intermittence, beat frequency, or shrillness.

11 (56) Sludge Utilization: Only at a completed sanitary landfill or on a completed cell
12 within a sanitary landfill, subject to the provision of SCC 30.28.085.

13 (57) Woodwaste Recycling and Woodwaste Storage Facility: See SCC 30.28.095.

14 (58) Bed and Breakfast Guesthouses and Bed and Breakfast Inns: See SCC 30.28.020.

15 (59) Detached Accessory or Non-Accessory Private Garages and Storage Structures:
16 Subject to the following requirements:

17 (a) Special setback requirements for these uses are contained in SCC
18 30.23.110(20);

19 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any,
20 will not result in glare when viewed from the surrounding property or rights-of-way;

21 (c) The following compatibility standards shall apply:

22 (i) proposals for development in existing neighborhoods with a well-defined
23 character should be compatible with or complement the highest quality
24 features, architectural character and siting pattern of neighboring buildings.

25 Where there is no discernable pattern, the buildings shall complement the
26 neighborhood. Development of detached private garages and storage
27 structures shall not interrupt the streetscape or dwarf the scale of existing
28 buildings of existing neighborhoods. Applicants may refer to the Residential
29 Development Handbook for Snohomish County Communities to review
30 techniques recommended to achieve neighborhood compatibility;

31 (ii) building plans for all proposals larger than 2,400 square feet in the
32 Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural
33 cluster subdivisions shall document the use of building materials compatible
34 and consistent with existing on-site residential development exterior finishes;

35 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones
36 and rural cluster subdivisions, no portion of a detached accessory private

37 garage or storage structure shall extend beyond the building front of the
38 existing single family dwelling, unless screening, landscaping, or other

39 measures are provided to ensure compatibility with adjacent properties; and

40 (iv) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones
41 and rural cluster subdivisions, no portion of a detached non-accessory private
42 garage or storage structure shall extend beyond the building front of existing
43 single family dwellings on adjacent lots where the adjacent dwellings are
44 located within 10 feet of the subject property line. When a detached non-
45 accessory private garage or storage structure is proposed, the location of

existing dwellings on adjacent properties located within 10 feet of the subject site property lines shall be shown on the site plan;

(d) All detached accessory or non-accessory private garages and storage structures proposed with building footprints larger than 2,400 square feet shall provide screening or landscaping from adjacent properties pursuant to chapter 30.25 SCC;

(e) On lots less than 10 acres in size having no established residential use, only one non-accessory private garage and one storage structure shall be allowed. On lots 10 acres or larger without a residence where the cumulative square footage of all existing and proposed non-accessory private garages and storage structures is 6,000 square feet or larger, a conditional use permit shall be required.

(f) Where permitted, separation between multiple private garages or storage structures shall be regulated pursuant to subtitle 30.5 SCC.

(60) The cumulative square footage of all detached accessory and non-accessory private garages and storage structures shall not exceed 6,000 square feet on any lot less than five acres, except this provision shall not apply in the LDMR, MR, T, NB, GC, PCB, CB, FS, BP, IP, LI, HI, RB, RFS, CRC and RI zones.

(61) Museums: Museums within the agriculture A-10 zone are permitted only in structures which were legally existing on October 31, 1991.

(62) Accessory Apartments: See SCC 30.28.010.

(63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities: See SCC 30.28.090.

(64) RESERVED for future use.

(65) On-Site Hazardous Waste Treatment and Storage Facilities: Allowed only as an incidental use to any use generating hazardous waste which is otherwise allowed; provided that such facilities demonstrate compliance with the state siting criteria for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or hereafter amended.

(66) An application for a conditional use permit to allow an off-site hazardous waste treatment and storage facility shall demonstrate compliance with the state siting criteria for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or hereafter amended.

(67) Adult Entertainment Uses: See SCC 30.28.015.

(68) Special Building Height provisions for this use are contained in SCC 30.23.050(2)(d).

(69) Bakery: In the NB zone, the gross floor area of the use shall not exceed 1,000 square feet and the bakery business shall be primarily retail in nature.

(70) Equestrian Centers: Allowed with a conditional use permit on all lands zoned A-10 except in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

(71) Mini-Equestrian Centers are allowed as a permitted use on all lands zoned A-10 except in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

(72) Equestrian Centers and Mini-equestrian Centers require the following:

(a) Five-acre minimum site size for a mini-equestrian center;

- (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian center; provided that stabling areas, whether attached or detached, shall not be included in this calculation;
- (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on surrounding properties or rights-of-way;
- (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC 30.25.017 is required to screen any outside storage, including animal waste storage, and parking areas from adjacent properties;
- (e) Riding lessons, rentals, or shows shall only occur between 8:00 a.m. and 9:00 p.m.;
- (f) Outside storage, including animal waste storage, and parking areas shall be set back at least 30 feet from any adjacent property line. All structures shall be set back as required in SCC 30.23.110(8); and
- (g) The facility shall comply with all applicable county building, health, and fire code requirements.

(73) Temporary Residential Sales Coach (TRSC):

- (a) The commercial coach shall be installed in accordance with all applicable provisions within chapter 30.54A SCC;
- (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road rights-of-way and five feet from proposed and existing property lines;
- (c) Vehicular access to the temporary residential sales coach shall be approved by the county or state; and
- (d) Temporary residential sales coaches may be permitted in approved preliminary plats, prior to final plat approval, when the following additional conditions have been met:
 - (i) plat construction plans have been approved;
 - (ii) the fire marshal has approved the TRSC proposal;
 - (iii) proposed lot lines for the subject lot are marked on site; and
 - (iv) the site has been inspected for TRSC installation to verify compliance with all applicable regulations and plat conditions, and to assure that land disturbing activity, drainage, utilities infrastructure, and native growth protection areas are not adversely affected.

(74) Golf Course and Driving Range: In the A-10 zone, artificial lighting of the golf course or driving range shall not be allowed. Land disturbing activity shall be limited in order to preserve prime farmland. At least 75 percent of prime farmland on site shall remain undisturbed.

(75) Model Hobby Park: SCC 30.28.060.

(76) Commercial Retail Uses: Not allowed in the Light Industrial and Industrial Park zones when said zones are located in the Maltby UGA of the comprehensive plan, and where such properties are, or can be served by railway spur lines.

(77) Studio: Studio uses may require the imposition of special conditions to ensure compatibility with adjacent residential, multiple family, or rural-zoned properties. The hearing examiner may impose such conditions when deemed necessary pursuant to the provisions of chapter 30.42C SCC. The following criteria are provided for hearing

examiner consideration when specific circumstances necessitate the imposition of conditions:

(a) The number of nonresident artists and professionals permitted to use a studio at the same time may be limited to no more than 10 for any lot 200,000 square feet or larger in size, and limited to five for any lot less than 200,000 square feet in size;

(b) The hours of facility operation may be limited; and

(c) Landscape buffers may be required to visually screen facility structures or outdoor storage areas when the structures or outdoor storage areas are proposed within 100 feet of adjacent residential, multiple family, and rural-zoned properties.

The buffer shall be an effective site obscuring screen consistent with Type A landscaping as defined in SCC 30.25.017.

(78) The gross floor area of the use shall not exceed 1,000 square feet.

(79) The gross floor area of the use shall not exceed 2,000 square feet.

(80) The gross floor area of the use shall not exceed 4,000 square feet.

(81) The construction contracting use in the Rural Business zone shall be subject to the following requirements:

(a) The use complies with all of the performance standards required by SCC 30.31F.100 and 30.31F.110;

(b) Not more than 1,000 square feet of outdoor storage of materials shall be allowed and shall be screened in accordance with SCC 30.25.024;

(c) In addition to the provisions of subsection (81)(b) of this section, not more than five commercial vehicles or construction machines shall be stored outdoors and shall be screened in accordance with SCC 30.25.020 and 30.25.032;

(d) The on-site fueling of vehicles shall be prohibited; and

(e) The storage of inoperable vehicles and hazardous or earth materials shall be prohibited.

(82) Manufacturing, Heavy includes the following uses: Distillation of wood, coal, bones, or the manufacture of their by-products; explosives manufacturing; manufacture of fertilizer; extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting of ore; manufacturing of acid, animal black/black bone, cement or lime, chlorine, creosote, fertilizer, glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling or booming mills; tannery; or tar distillation and manufacturing. See SCC 30.91M.028.

(83) "All other forms of manufacture not specifically listed" is a category which uses manufacturing workers, as described under the Dictionary of Occupational Titles, published by the US Department of Labor, to produce, assemble or create products and which the director finds consistent with generally accepted practices and performance standards for the industrial zone where the use is proposed. See SCC 30.91M.024 and 30.91M.026.

(84) RESERVED for future use.

(85) A single family dwelling may have only one guesthouse.

(86) Outdoor display or storage of goods and products is prohibited on site.

(87) Wedding Facility:

(a) Such use is permitted only:

(i) on vacant and undeveloped land;

(ii) on developed land, but entirely outside of any permanent structure;

- 1 (iii) partially outside of permanent structures and partially inside of one or
2 more permanent structures which were legally existing on January 1, 2001; or
3 (iv) entirely inside of one or more permanent structures which were legally
4 existing on January 1, 2001;
- 5 (b) The applicant shall demonstrate that the following criteria are met with respect
6 to the activities related to the use:
- 7 (i) compliance with the noise control provisions of chapter 10.01 SCC;
8 (ii) adequate vehicular site distance and safe turning movements exist at the
9 access to the site consistent with the EDDS as defined in Title 13 SCC; and
10 (iii) adequate sanitation facilities are provided on site pursuant to chapter
11 30.50 SCC and applicable Snohomish Health District provisions;
- 12 (c) Adequate on-site parking shall be provided for the use pursuant to SCC
13 30.26.035; and
- 14 (d) A certificate of occupancy shall be obtained pursuant to chapter 30.50 SCC for
15 the use of any existing structure.
- 16 (88) Public/Institutional Use Designation (P/IU): When applied to land that is (a)
17 included in an Urban Growth Area and (b) designated P/IU on the Snohomish County
18 Future Land Use Map concurrent with or prior to its inclusion in a UGA, the R-7,200, R-
19 8,400 and R-9,600 zones shall allow only the following permitted or conditional uses:
20 churches, and school instructional facilities. All other uses are prohibited within areas
21 that meet criteria (a) and (b), unless the P/IU designation is changed.
- 22 (89) Hotel/Motel Uses: Permitted in the Light Industrial zone when the following criteria
23 are met:
- 24 (a) The Light Industrial zone is located within a municipal airport boundary;
25 (b) The municipal airport boundary includes no less than 1,000 acres of land zoned
26 light industrial; and
27 (c) The hotel/motel use is served by both public water and sewer.
- 28 (90) Health and Social Service Facilities regulated under this title do not include secure
29 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See
30 SCC 30.91H.095.
- 31 (a) Snohomish County is preempted from regulation of SCTFs. In accordance with
32 the requirements of state law the county shall take all reasonable steps permitted
33 by chapter 71.09 RCW to ensure that SCTFs comply with applicable siting criteria
34 of state law. Every effort shall be made by the county through the available state
35 procedures to ensure strict compliance with all relevant public safety concerns,
36 such as emergency response time, minimum distances to be maintained by the
37 SCTF from "risk potential" locations, electronic monitoring of individual residents,
38 household security measures and program staffing.
- 39 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county
40 from evaluating, commenting on, or proposing public safety measures to the state
41 of Washington in response to a proposed siting of a SCTF in Snohomish County.
- 42 (c) Nothing herein shall be interpreted to require or authorize the siting of more
43 beds or facilities in Snohomish County than the county is otherwise required to site
44 for its SCTFs pursuant to the requirements of state law.
- 45 (91) Level II Health and Social Service Uses: Allowed outside the UGA only when the
46 use is not served by public sewer.

- (92) The area of the shooting range devoted to retail sales of guns, bows, and related equipment shall not exceed one-third of the gross floor area of the shooting range and shall be located within a building or structure.
- (93) Farmers Market: See SCC 30.28.036.
- (94) Farm Product Processing and Farm Support Business: See SCC 30.28.038.
- (95) Farmland Enterprise: See SCC 30.28.037.
- (96) Public Events/Assemblies on Farmland: Such event or assembly shall:
- (a) Comply with the requirements of SCC 30.53A.800; and
 - (b) Not exceed two events per year. No event shall exceed two weeks in duration.
- (97) Bakery, Farm: The gross floor area of the use shall not exceed 1,000 square feet.
- (98) Recreational Facility Not Otherwise Listed in Ag-10 zone, Forestry (F), or Forestry and Recreation (F&R) zones: See SCC 30.28.076.
- (99) Farm Stand: See SCC 30.28.039.
- (100) Farm Stand: Allowed as a Permitted Use (P) when sited on land designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan.
- (101) Farmers Market: Allowed as a Permitted Use (P) when sited on land designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan.
- (102) Community Facilities for Juveniles in R-5 zones must be located within one mile of an active public transportation route at the time of permitting.
- (103) All community facilities for juveniles shall meet the performance standards set forth in SCC 30.28.025.
- (104) Personal Wireless Telecommunications Service Facilities: See chapter 30.28A SCC and landscaping standards in SCC 30.25.025.
- (105) Personal wireless telecommunications service facilities are subject to a building permit pursuant to SCC 30.28A.030 and the development standards set forth in chapter 30.28A SCC and landscaping standards in SCC 30.25.025.
- (106) A building permit only is required for facilities co-locating on existing utility poles, towers, and/or antennas unless otherwise specified in chapter 30.28A SCC.
- (107) Agricultural Composting Requirements:
- (a) On-farm site agricultural composting operations that comply with the requirements established in this section are allowed in the A-10 zone. These composting facilities and operations shall be constructed and operated in compliance with all applicable federal, state and local laws, statutes, rules and regulations. The Nutrient Management Plan portion of the farm's Snohomish Conservation District Farm Plan or any other established nutrient management plan must be on file with the department when any application for a land use permit or approval is submitted to the department for the development of an agricultural composting facility. Farm site agricultural composting operations shall also comply with the following criteria:

- (i) The composting operation shall be limited to 10 percent of the total farm site area;
- (ii) At least 50 percent of the composted materials shall be agricultural waste;
- (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;
- (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in the agricultural waste such as rock, asphalt, or concrete over three inches in size may be stored at the farm composting facility until its proper removal. All incidental materials must be removed from the site yearly; and
- (v) A minimum of 10 percent of the total volume of the finished compost produced annually shall be spread on the farm site annually.
- (b) In all other zones except A-10 where agriculture is a permitted use, incidental agricultural composting of agricultural waste generated on a farm site is permitted. The agricultural composting facility shall be constructed and operated in compliance with all applicable federal, state and local laws, statutes, rules and regulations. The Nutrient Management Plan portion of the farm's Snohomish Conservation District Farm Plan or any other established nutrient management plan must be on file with the department when any permit application is submitted to the department for the development of an agricultural composting facility.
- (108) RESERVED for future use. (Urban Center Demonstration Program projects - DELETED by Ord. 09-079)
- (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by conditional use permit on Forestry and Recreation (F&R) zoned property designated Forest on the comprehensive plan future land use map. These areas shall be identified by an F&R ORV suffix on the zoning map. Privately operated ORV use areas are regulated pursuant to SCC 30.28.080 and 30.28.086 and other applicable county codes.
- (110) RESERVED for future use.
- (111) RESERVED for future use.
- (112) RESERVED for future use. (Transfer of Development Rights receiving area overlay - DELETED by Amended Ord. 13-064)
- (113) Privately Operated Motocross Racetracks: Allowed by conditional use permit, and are regulated pursuant to SCC 30.28.100 and 30.28.105, and other applicable county codes. Motocross racetracks are allowed in the Forestry and Recreation (F&R) zone only on commercial forest lands.
- (114) New AM Radio Towers are prohibited. AM radio towers either constructed before October 13, 2010, or with complete applications for all permits and approvals required for construction before October 13, 2010, shall not be considered nonconforming uses and they may be repaired, replaced, and reconfigured as to the number and dimensions of towers so long as the repair, replacement, or reconfiguration occurs on the parcel where the tower was originally constructed or permitted and it does not increase the number of AM radio towers constructed on the parcel.
- (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO). Public park is a permitted use on reclaimed portions of mineral excavation sites with the MRO.
- (116) See cottage housing design standard requirements in chapter 30.41G SCC.

(117) RESERVED for future use.

(118) RESERVED for future use.

(119) Only building mounted personal wireless communications facilities shall be permitted.

(120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride Lot.

(121) Permitted as an incidental use with a permitted use, conditional use or administrative conditional use.

(122) Products or merchandise offered for sale or storage by a business may be located outdoors; provided, that:

- (a) The area occupied by the display shall not exceed 500 square feet; and
- (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing or other means that effectively limits public use of the sidewalk.

(123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted only in structures which are legally existing on May 29, 2010. Such uses, except those as provided for in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this section.

(124) The minimum lot size for marijuana related facilities is 100,000 square feet. Marijuana production and marijuana processing are allowed indoors and outdoors, including in greenhouses and other structures pursuant to chapter 314-55 WAC. In the A-10 zone, marijuana uses shall be subject to the same regulations that apply to agricultural uses and not subject to any more restrictive regulations except as specifically provided in this title and in state law. Marijuana processing is only allowed when there is a marijuana production facility on site. Marijuana facilities are subject to special setbacks pursuant to SCC 30.23.110(28).

(125) Marijuana production and processing is permitted indoors only; no outdoor production or processing is allowed.

~~((126) Notwithstanding all other provisions of this chapter, marijuana collective gardens, collective garden dispensaries, or access points in operation as of November 1, 2013, shall be permitted uses in their current locations through December 31, 2015, provided that the use complies with all state laws related to medical marijuana and maintains a current certificate of occupancy. Such uses must close or relocate to a zone where they are a permitted use on or before January 1, 2016. New marijuana collective gardens, collective garden dispensaries, or access points after November 1, 2013, shall only be permitted in the zones specified in this chapter.))~~

(127) Campgrounds and Recreational Facilities Not Otherwise Listed are not allowed on land designated Local Forest in the comprehensive plan.

(128) Development applications for all non-tribally owned, fee-simple properties designated Reservation Commercial on the Snohomish County Future Land Use Map must include an archaeology site report pursuant to SCC 30.32D.200(3)(b) or relocate the project to avoid impacts to any archaeological resources.

(129) Development within an airport compatibility area is subject to the requirements of chapter 30.32E SCC.

(130) On land designated as riverway commercial farmland, upland commercial farmland or local commercial farmland or land zoned A-10 the following additional requirements apply:

(a) the applicant must demonstrate that the use is incidental to the primary use of the site for agricultural purposes and supports, promotes or sustains agricultural operations and production;

(b) the use must be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the property and neighboring properties;

(c) the use and all activities and structures related to the use must be consistent with the size, scale, and intensity of the existing agricultural use of the property and the existing buildings on the site;

(d) the use and all activities and structures related to the use must be located within the general area of the property that is already developed for buildings and residential uses;

(e) where the property is less than 10 acres in size, the use and all structures and activities related to the use shall not convert more than 10 percent of agricultural land to nonagricultural uses;

(f) where the property is 10 acres in size or more, the use and all structures and activities related to the use shall not convert more than one acre of agricultural land to nonagricultural uses; and

(g) any land disturbing activity required to support the use shall be limited to preserve prime farmland.

The provisions of subsections (130)(a) through (f) of this section do not apply to any land under ownership or acquired before May 24, 2015, by any local, county, regional, or state agency for recreation, public park and/or trail purposes. Any new development, alterations or reconstruction on these properties shall meet subsection (130)(g) of this section and the requirements of the A-10 zone. All buildings and parking areas shall be set back a minimum of 50 feet from the property boundaries. If the park or trail use produces adverse conditions that will unduly affect an adjacent agricultural use, the director may impose a larger setback to alleviate the effects of such adverse conditions, which include but are not limited to noise, vibration, dust, and light.

(131) Marijuana-related facilities are prohibited within the exterior boundaries of the Tulalip Indian Reservation.

~~((30.91M.034 Marijuana collective garden or medical cannabis garden.))~~

~~("Marijuana collective garden" or "medical cannabis garden" means any place, area or garden where qualifying patients share responsibility for the purpose of producing, processing, transporting, and delivering cannabis for medical use such as, for example, a location for a collective garden; equipment, supplies and labor necessary to plant, grow, and harvest cannabis; cannabis plants, seeds and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring and ventilation of a garden of cannabis plants as authorized under chapter 69.51A RCW.)~~

~~((30.91M.036 Marijuana collective garden dispensary or access point.))~~

~~("Marijuana collective garden dispensary" or "access point" means any place where cannabis is delivered, sold, or distributed or offered for delivery, sale, or distribution.~~

1 ~~Dispensary or access point does not include a private residence where a designated~~
2 ~~provider delivers medical cannabis to his or her qualifying patient or a private residence~~
3 ~~where a member of a collective garden delivers medical cannabis to another member of~~
4 ~~the same collective garden. Dispensary or access point does not include a collective~~
5 ~~garden, but does include any office, meeting place, club, or other place, which is not~~
6 ~~located within the same structure as the collective garden itself, where medical~~
7 ~~cannabis is delivered regardless of whether the delivery is made to another member of~~
8 ~~the collective garden. Dispensary or access point does not include a place where~~
9 ~~cannabis is delivered, sold, or distributed if such activity is conducted pursuant to a~~
10 ~~license or permit issued by the state.))~~

11 12 **30.91M.038 Marijuana processing.**

13
14 "Marijuana processing" means a facility licensed by the state liquor ((~~control~~)) and
15 cannabis board to process marijuana into marijuana concentrates, useable marijuana
16 and marijuana-infused products, package and label marijuana concentrates, useable
17 marijuana and marijuana-infused products for sale in retail outlets, and sell marijuana
18 concentrates, useable marijuana and marijuana-infused products at wholesale to
19 marijuana retailers.

20 21 **30.91M.040 Marijuana production.**

22
23 "Marijuana production" means a facility licensed by the state liquor ((~~control~~)) and
24 cannabis board to produce and sell marijuana at wholesale to marijuana processors and
25 other marijuana producers.

26 27 **30.91M.042 Marijuana retail.**

28
29 "Marijuana retail" means a facility licensed by the state liquor ((~~control~~)) and cannabis
30 board to sell marijuana concentrates, useable marijuana and marijuana-infused
31 products in a retail outlet.

Special note: Under the new definition in state law, marijuana concentrates means: *products consisting wholly or in part of the resin extracted from any part of the plant Cannabis and having a THC concentration greater than sixty percent.*

PDS is not proposing to add a definition to Chapter 30.91M SCC for the term marijuana concentrates as part of this code project.



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Planning and Development Services

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MEMORANDUM

To: Snohomish County Planning Commission
Barb Mock, Planning Commission Secretary

From: Alison Hodgkin, Senior Planner, Planning & Development Services

Date: February 10, 2016

RE: 2016 Update to Regulations for Medical Marijuana Facilities

Introduction

The purpose of this staff report is to describe a proposal that would amend sections of Title 30 of Snohomish County Code (SCC) for consistency with recent changes made to Chapters 69.50 and 69.51A Revised Code of Washington (RCW) as a result of the passage of the Cannabis Patient Protection Act (SB 5052). The state deadline for the county to achieve this consistency with new state regulations is July 1, 2016.

Specifically, this proposal would: (1) amend Chapter 30.22 SCC (Uses Allowed in Zones) to eliminate medical marijuana collective garden and dispensary uses, and (2) amend Chapter 30.91M SCC (Definitions) to repeal definitions for the eliminated uses and expand the definition of marijuana retail consistent with the recent changes in state law. No zoning changes to marijuana production, marijuana processing or marijuana retail facilities are proposed as a part of this project.

Background

1998:

Washington State voters approved Initiative Measure No. 692, permitting the medical use of marijuana. Since that time, the Washington State Legislature made several attempts to clarify the medical use of marijuana and to ensure qualifying patients have a safe, consistent and adequate source of marijuana for their medical needs.

2012:

Washington State voters passed Initiative Measure No. 502 (I-502), permitting the recreational use of marijuana. I-502 allows the regulation of production, processing and retail facilities, taxation and sale of marijuana for recreational consumption. I-502 also provides a tracking system for the sale of recreational marijuana from seed to sale.

2013:

The Snohomish County Council adopted regulations for marijuana-related facilities in Amended Ordinance No. 13-086. The regulations addressed the processing, production, and retailing of recreational marijuana allowed by I-502, as well as medical marijuana collective gardens and dispensaries. These regulations were subsequently revised in 2015 in Amended Ordinance No. 15-009 to: (1) prohibit marijuana production and processing facilities in the Rural 5-acre (R-5) zone, (2) prohibit marijuana retail and medical marijuana dispensaries in the Clearview Rural Commercial (CRC) zone, and (3) prohibit marijuana-related facilities on all rural-zoned, fee simple properties located within the boundary of the Tulalip Indian Reservation¹.

2015:

The Washington State Legislature adopted the Cannabis Patient Protection Act (SB 5052), which integrates the medical marijuana marketplace into the tightly controlled recreational marijuana marketplace. The new law requires all marijuana-related facilities, whether medical or recreational, to obtain a license from the Washington State Liquor and Cannabis Board, formerly known as the Liquor Control Board (LCB). Existing medical marijuana facilities will have the opportunity to become LCB-licensed retailers and existing recreational marijuana retailers will have the opportunity to obtain an endorsement from the LCB and have the option to sell medical marijuana.

Project Description

Medical marijuana collective gardens are currently a permitted use in various zones under Chapter 30.22 SCC. However, as a result of adoption of SB 5052, state laws in Chapter 69.51A RCW now require that medical marijuana collective garden and dispensary uses be eliminated effective July 1, 2016.

In addition, the state Legislature also recently amended definitions for marijuana-related facilities provided in RCW 69.50.101. For consistency, the county must also amend its definitions in Chapter 30.91M SCC in order to maintain alignment with definitions provided in state law.

In order to achieve this consistency, PDS proposes to:

- Repeal the “Marijuana Collective Garden” and “Marijuana Collective Garden Dispensary or Access Point” uses from the Urban and Rural Use Matrices in SCC 30.22.100 and .110.
- Repeal associated Reference Note No. 126 in SCC 30.22.130.
- Repeal the definitions for “Marijuana Collective Garden” and “Marijuana Collective Garden Dispensary or Access Point” in SCC 30.91M.034 and .036.

¹ On January 20, 2016, the Snohomish County Council adopted an interim official control extending the prohibition of marijuana-related facilities on the Tulalip Indian Reservation to all *urban-zoned*, fee simple land; a provision that was intended but inadvertently not included in Amended Ordinance No. 15-009. Under SCC 30.73.040(3), council referred the interim legislation to the Planning Commission, requesting a public hearing on permanent regulations to replace the interim official control be held within 90 days. Permanent regulations to replace the interim official control are currently being drafted by PDS and scheduled for transmittal to the Planning Commission in March 2016.

- Amend the definitions of “Marijuana Processing” and “Marijuana Retail” to add new term “marijuana concentrates²,” which was recently added to the state definitions for these terms.
- Amend the definitions of “Marijuana Processing”, “Marijuana Production”, and “Marijuana Retail” to change the name of the regulating agency from the Washington State Liquor Control Board to the Washington State Liquor and Cannabis Board (WSLCB).

Please note: No zoning changes to marijuana production, marijuana processing, or marijuana retail facilities are proposed as a part of this project.

Adoption Process

While adoption of local regulations related to marijuana are optional, the proposed changes are mandatory for consistency with changes resulting from passage of the Cannabis Patient Protection Act. Therefore, the changes proposed to existing development regulations in Title 30 SCC are considered a Type 3 decision under Chapter 30.73 SCC. The Type 3 legislative process described in Title 30 requires action by the Planning Commission and includes a public hearing before the county council.

In addition, the county is required to provide notice to the Washington State Department of Commerce when drafting development regulations. The county is also required to conduct environmental review under the State Environmental Policy Act (SEPA) pursuant to Washington Administrative Code (WAC) 197-11-875.

Draft Schedule

PDS plans to brief the Planning Commission in February and the council in April 2016. This would allow council to hold a hearing in May 2016 in advance of the July 1, 2016, state deadline to eliminate marijuana collective gardens and collective garden dispensaries.

Commissioners are encouraged to ask staff questions about this project in advance of the February 23, 2016, informational briefing. Questions can be routed through the Planning Commission Clerk; all questions and responses will be included in the public record.

cc: Marcia Isenberg, Interim Deputy Executive
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Joshua Dugan, PDS, Manager
Jacqueline Reid, AICP, PDS, Supervisor
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² Under the new definition in state law, **marijuana concentrates** means: *products consisting wholly or in part of the resin extracted from any part of the plant Cannabis and having a THC concentration greater than sixty percent.* Please note: PDS is not proposing to add a definition to Chapter 30.91M SCC for the term **marijuana concentrates** as part of this code project.